

Study Details Impact Of Poverty in U.S.

By SRI RAMAKRISHNAN
Washington Post Staff Writer

About one in five people in the United States in 1995, or about 49 million, lived in a household that was unable to satisfy at least one basic need, such as paying the rent or utility bills, seeing a doctor, or getting sufficient food, according to a report to be released today by the Census Bureau.

"Obviously, there is a large part of the population in the U.S. having trouble making ends meet," said Kurt Bauman, author of the report and a demographer with the bureau.

The report, based on a survey conducted between October 1995 and January 1996, found that children aged 17 or younger were more likely than adults to live in households that had such problems.

See CENSUS, E4, Col. 1

CENSUS, From E1

For example, 8.8 percent of children in this country lived in a household where someone needed to see the dentist but didn't go, and 7 percent lived in a household where someone needed to see the doctor but didn't go. "A lot of people take this position that ours is an extraordinarily affluent society and all our needs have been met. But the fact is we live in an inefficient society," says Jerome M. Segal, research scholar at the Institute for Philosophy and Public Policy at the University of Maryland and author of the book "Graceful Simplicity: Toward a Philosophy and Politics of Simple Living," which focuses on the issues of basic needs.

By contrast, older Americans lived better, although on average they had lower incomes. Only 3 percent of people aged 60 and over lived in households with such problems, the report found.

"A very high proportion of older people have low income but high assets. They have Medicare and typically have finished paying their mortgage," said Linda K. Waite,

professor of sociology and co-director of the Sloan Family Center on Parents, Children and Work at the University of Chicago.

Besides age, other factors affecting a household's chances of having difficulty meeting basic needs were income, race and ethnicity.

The poorest, of course, had the most such problems, but even a small number of people living at the highest income levels had trouble keeping up with such expenses. Experts note that many middle-class families often do not have enough saved for emergencies, particularly if they have large mortgages or personal debt. That makes them vulnerable to unexpected financial hits—such as losing a job or facing a large medical bill.

And at the top of the income ladder, the size of a mortgage payment or utility bill may be vastly different than those faced by families struggling at the bottom. "The rich have a threshold level of comfort, so the definition of basic needs is relative," said Gary Burtless at the Brookings Institution.

Blacks and Hispanics, who can be of any race, were more likely than non-Hispanic whites to face

difficulty meeting basic needs. This finding does not surprise economists such as Burtless, who said, "That's a natural consequence of racial minorities earning below national average wages."

The most common problem reported was fully paying utility bills. Nearly 10 percent of U.S. households did not pay their entire gas, electric or oil bills. The next most common difficulties were among households in which someone needed to see a dentist but didn't go, and those that didn't pay their full rent or mortgage.

About 1 person in 20, or 4.8 percent of the population, lived in a household reporting that its members sometimes did not get enough to eat.

The good news amid all this? For one, the survey was conducted in late 1995 and early 1996, when the national unemployment rate was higher and U.S. economic growth was slower. Currently, the jobless rate is hovering near a three-decade low and the economy is booming into its ninth year of expansion.

Economists such as Burtless believe that since 1995, there has been a broader and more even

Uneasy Times

Here are some of the basic needs that people had trouble meeting, according to a Census Bureau report.

Percent of U.S. population who:

Didn't pay full gas, electric, oil	9.9%
Needed to see a dentist but didn't go	7.0%
Didn't pay full rent or mortgage	6.8%
Needed to see a doctor but didn't go	5.7%
Had phone disconnected	3.7%
Had gas, electric, oil disconnected	1.9%
Evicted for non-payment	0.4%

NOTE: Figures are for 1995

SOURCE: Census Bureau

THE WASHINGTON POST

distribution of prosperity. "The official rate of poverty is 13 percent, and you don't have anybody in the U.S. dying of exposure or hunger," Burtless said.

NATION IN BRIEF

Train Hits Truck, Derails; 18 Injured

EAGLE LAKE, Tex.—An Amtrak train carrying 235 passengers struck a truck yesterday, derailing nine cars and injuring 18 people.

The eastbound Sunset Limited was traveling from Los Angeles to Orlando when it hit the rig shortly before noon, Amtrak said. The track was torn up, and two engines and seven cars were off to the side.

"It wasn't that big of a bump," said Sally Brichler, 36, of Deltona, Fla., who was traveling with her daughters, ages 9 and 5. "It didn't even knock the milk off our tray."

Among the passengers were Cindy McCain, the wife of Sen. John McCain (R-Ariz.), and their 13-year-old son, Jack. The two, who were unhurt, were headed to Florida for a vacation, a McCain spokesman said. The senator

himself was on a plane, headed to Seattle for a speech.

Killer Bleeds Upon Electrocution

STARKE, Fla.—A 344-pound killer nicknamed "Tiny" bled all over himself as he was put to death in Florida's new electric chair, prompting demands that all executions be suspended and resulting in one postponement.

Witnesses said the blood that stained Allen Lee Davis's collar and covered the front of his white shirt appeared to have come from his mouth and chest, but state officials said it was from a nosebleed.

The state Supreme Court postponed an execution scheduled today after the condemned man's lawyer argued that the refurbished electric chair still does not work properly.

Davis, 54, killed a pregnant woman and her two daughters, ages 5 and 9, during a 1982 robbery.

Addenda

■ **BARTOW, Fla.**—Joshua Earl Patrick Phillips, 15, was convicted of first-degree murder in the death of an 8-year-old girl, Maddie Clifton, whose body was found under his waterbed in November. The jury conviction carried an automatic sentence of life in prison.

■ **BOSTON**—Massachusetts's highest court ruled that live-in partners of Boston city employees may not receive city health insurance benefits, reversing an executive order issued in 1988 by Mayor Thomas Menino. The state's Supreme Judicial Court found that the city's benefits program violated a state law that forbids

domestic-partner benefits for public employees.

■ **FORT LAUDERDALE, Fla.**—A 13-year-old girl faces up to eight years in a juvenile detention center after being convicted of plotting to kill teachers and students, then blow up Bair Middle School in Sunrise, Fla. The plot was discovered in April.

■ **LOS ALAMOS, N.M.**—Unable to ease public fears, the Los Alamos National Laboratory canceled plans to release a common strain of bacteria into the atmosphere to test new toaster-size biowarfare detectors. At a hearing Wednesday in White Rock, about 10 miles downwind from the test site, Santa Fe resident Pat Wolf asked, "If it's so safe, why don't you release it into the office of someone in Washington, D.C.?"

—From news services

Hispanic Fund Wins \$50 Million Grant

Award Supports College Scholarships

By VALERIE STRAUSS
Washington Post Staff Writer

The national Hispanic Scholarship Fund announced yesterday that it has received a \$50 million grant from Lilly Endowment Inc., one of the nation's largest private foundations, to promote college education among the nation's fastest-growing population segment.

The grant, which will provide funding for both aspiring and current Hispanic college students in all 50 states and Puerto Rico, is the largest amount ever pledged to a Hispanic organization for education in the United States.

"In the next century, Hispanics will continue to grow in number, influence and responsibility, and this grant recognizes the importance of education in building a foundation to make America stronger," Sara Martinez Tucker, fund president and chief executive officer, said in a statement.

The fund is the nation's oldest provider of college scholarships to Hispanic Americans and has awarded more than 36,000 scholarships totaling about \$38 million since it was founded in 1975. Three years ago it began a campaign to double—from 9 percent to 18 percent—the percentage of Hispanics earning college degrees by 2006. Ninety-seven percent of students who receive fund scholarships earn college degrees.

The grant will enable the fund to significantly increase the number of Hispanics starting college, Martinez Tucker said. The money will be used for various programs, including:

■ A college retention fund, which will provide 2,000 academic scholarships per year over a five-year period to current four-year college students;

■ A separate scholarship fund for graduating high school seniors, which will require individual school districts to raise matching funds in their commu-

nities;

■ A community college program, which will encourage individuals to continue their education by transferring to a four-year institution.

The Indianapolis-based Lilly Endowment is a private philanthropic foundation created in 1937 by three Lilly family members through gifts of stock in their pharmaceutical business, Eli Lilly & Co.

Endowment President N. Clay Robbins said the foundation decided to help the Hispanic Scholarship Fund because it was "impressed by research showing that low educational at-

The fund seeks to double the percentage of Hispanics who earn degrees.

tainment is a key barrier to the prosperity of Hispanic Americans."

Hispanics now account for 11 percent, or some 32 million, of the U.S. population, and it is estimated by demographers that 40 percent of the nation's new population in the next two years will be Hispanic.

Martinez Tucker, the first Hispanic female to enter AT&T Corp.'s executive management, joined the scholarship fund in 1997, determined to raise its national profile. She was largely responsible for securing the Lilly grant and is trying to reach out to other foundations and businesses.

"We will continue to seek additional support from other responsible corporations, foundations and private citizens to sustain the vision and mission that Lilly Endowment has made possible," she said.

Battle Looms on Hill Over Education Funding and Ideas

By JUNE KRONHOLZ

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—Want to get the political parties excited? Mention the reauthorization of the Elementary and Secondary Education Act.

No, really.

With Democrats and Republicans eager to capitalize on voter concerns about the quality of the public schools, and with politicians of every leaning eager to deliver something besides impeachment votes to the folks back home, the ESEA is quickening pulses all around town, months before it is even introduced.

President Clinton's ideas on social promotion, teacher quality and class size will be in it. The Republicans' esoteric favorite, block grants, will be there, too. But if the previous reauthorization is any clue, so will vouchers, school prayer, sex education, gay rights, gun control, the handicapped, English as a second language, telecommunications, pornography, single-sex schools, national tests, home schooling, smoking and, the most contentious of all, who gets how much of the billions of dollars set aside for poor children.

"It will be the battleground" for the parties, predicts John Jennings, director of the Center on Education Policy, a think tank, and a former Democratic staffer. They will spar over ideology; they will haggle over social issues. But "beyond ideology, beyond partisanship," he adds, "it's

how to divvy up the pot."

With a budget of about \$14 billion, the 34-year-old ESEA is the federal government's largest commitment to the public schools. ESEA's biggest program is Title I, which distributes about \$8 billion a year to school districts that have high percentages of poor children, and that use the money to hire extra reading teachers and promote family literacy, among other things.

Besides Title I, though, there are so many other programs in ESEA—from teacher training to technology—that it typically takes two years to reauthorize it for five years. Last time around, the rewritten act filled 1,200 pages.

Both parties want to expedite the process this time to avoid carrying ESEA into an election year, and both houses already have begun hearings to packed galleries. The House education committee, a sea of empty desks at most hearings, attracted more than half its members to recent ESEA testimony by Education Secretary Richard Riley. Equally urgent, the Senate committee met for Mr. Riley's testimony only days before the impeachment vote.

President Clinton's State of the Union address largely outlined the ESEA bill that Mr. Riley's department will send to Congress in early spring. There will be new accountability measures—that is, requirements that the public schools meet some performance standards or risk being taken over by their states. There will be tests for

new teachers, and professional training and mentoring for those already in the classroom. There will be a push to reduce class size by helping school districts hire new teachers—a program that Congress funded this year, but hasn't authorized as a continuing program. And there will be money for magnet schools and to encourage districts to try open enrollment—that is, allowing children to attend any school in their district, rather than automatically assigning them to a school.

All those ideas are hugely popular with parents. But they cause a dilemma for Republicans who have been criticizing teacher quality and demanding greater accountability in federal programs and more choice in schooling for years. Opposing them now would be embarrassing; championing them would hand Mr. Clinton yet another education victory.

Instead, the GOP's ESEA bill will try to shift federal money from education programs to block grants that would give money to school districts to use as they choose. William Goodling, the Pennsylvania Republican who heads the House education committee, also will try to commit the government to increasing its share of special-education spending. That would force Washington to cut general-education programs, such as class size, to come up with the money, and free up local money for schools to spend as they please. Both ways, the GOP would reach its real goal: cutting

federal involvement in the schools without being seen as cutting federal spending.

Beyond that broad debate, though, ESEA will provoke plenty of floor battles over members' pet issues. Conservatives probably will propose school vouchers, which parents could use to pay tuition at private and parochial schools. Voucher legislation failed in the last Congress, has no chance of passing this year and so far has no congressional champion. "But we'll offer it because it's right," vows a GOP staffer.

Democrats likely will raise the president's plan to give tax credits to companies that invest in school-construction bonds. As a tax measure, that program doesn't belong in ESEA, but Democrats have won so much support for championing it, and the GOP has been hurt for opposing it, that political mileage rather than passage is what might matter.

Squabbles over teaching techniques—phonics vs. whole-language reading, for example—aren't expected. But plenty of other fights are. Mr. Goodling will oppose any administration move toward national math and reading tests. Texas Republican Rep. Sam Johnson wants tougher school discipline. "The bill attracts these social amendments," the Center for Education Policy's Mr. Jennings says. "You're dealing with an emotional issue—your kids."

The real food fight over ESEA, though, will come when Congress considers how to carve up the \$8 billion in Title I grants. As it is now, the allocation is based on how many poor children a district has, and how much the district or state spends on them. It gives more money to those that provide more money, less to those that spend less. Gerald Tirozzi, assistant secretary of ele-

mentary and secondary education, calls that "a pretty darn good formula," and expects no major changes.

But because Congress can alter that formula, odd alliances usually form as members jockey to bring home more funding for their schools. California, with almost six million public-school children and low state funding, gets \$892 million in Title I grants, while New York, with half as many children, gets \$731 million. California liberals are likely to join California conservatives in an effort to change that.

Conservatives also are talking about "voucherizing" Title I—that is, having federal money sent directly to a poor youngster's school, rather than sending it to states, which pass it to the districts before it eventually reaches the schools. Voucherizing would give Washington so little control over the money that the Democrats, and even some Republicans, will oppose it.

Even expedited, ESEA won't get to the House or Senate floor before summer, which brings up another problem. "They want to show they're doing stuff other than impeachment," says Joel Packer, a lobbyist for the National Education Association, the teachers' union. So, members of both parties and both houses are trying to break off pieces of ESEA for quick, high-profile

passage now.

Ed-Flex, a bill to give school districts greater flexibility in how they use their Title I money, is the first of those. The administration wants to include Ed-Flex in ESEA, where it can attach some accountability strings to it. The Republicans, sensing a sliver of political advantage in outmaneuvering the president on the timing, are pushing for it now. Ignored in the maneuvering is the fact that both parties like Ed-Flex, it has bipartisan sponsors and the president has said he would sign it as soon as it reaches his desk.

—Elizabeth Crowley
contributed to this article.

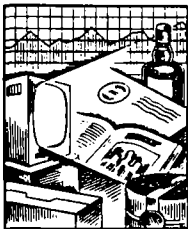
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ADVERTISING / By KATHY CHEN

FCC Is Seeking Code of Conduct To Ensure Equal Opportunities

The Federal Communications Commission and other agencies are trying to prod the broadcast and advertising industry to establish a code of conduct aimed at ensuring equal opportunities for minority-owned ad agencies and stations.

FCC Chairman William Kennard, who will co-chair a meeting on Monday with industry executives, said, "We want to sit down with advertisers and hear what their ideas are. Ultimately, we'd like to see some guidelines or a code of conduct they can coalesce around."



Advertising-industry executives haven't committed to establishing such a code, which would mark a first for the industry. But people familiar with the meeting agenda said the meeting may lead to general principles for advertisers that could be a starting point for a code of conduct.

So far, it is unclear what such a code would entail; possibilities might include pledges by ad agencies to promote fair competition and to use accurate data on consumer-spending practices.

The events follow the FCC's recent release of a study that concluded that minority-owned radio stations and stations that primarily target minority listeners draw significantly less ad revenue per listener.

According to the FCC study, a vast majority of minority radio broadcasters said they had run up against "dictates" by ad agencies and advertisers not to buy ad time on stations targeting black or Hispanic listeners. Many of the broadcasters said they were also hurt by the practice of some agencies and advertisers to pay discounted ad rates to such radio stations.

Wally Snyder, president and chief executive officer of the American Advertising Federation, said: "We need to understand why this disparity [in ad rates] exists. . . . It is our aim to see that advertising takes full advantage of what multicultural Americans have to offer—as consumers, professionals and providers of advertising services."

Vice President Al Gore is expected to announce Monday the establishment of an interagency working group to look into the issue of diversity in advertising. An administration official said the final role of the group has yet to be decided, but it is expected to include the FCC, the Federal Trade Commission and the Justice Department.

At the same time, the Office of Management and Budget is conducting a study looking at how federal government agencies get their messages across to minority audiences. The General Accounting Office plans to conduct a separate study looking at how the government hands out contracts to small businesses and minority-owned ad agencies, the administration official said.

"Diversity of voices and views is a pillar of our democracy," Mr. Gore said. "That's why we must ensure our airwaves provide opportunities for all Americans and both reflect and respect the full diversity of the country they serve."

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'he DLC Update

DLC National Conversation
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The Democratic Leadership Council

Monday, May 31, 1999

Idea of the Week: Smaller Schools

There is common-sense logic to the Clinton Administration's proposal to provide federal assistance to lower class sizes in early grades—smaller learning environments allow for more individual attention. However, evidence is mounting that “smaller is better” when it comes to entire schools, not just the classroom.

Educational research shows that students from smaller schools have better attendance rates, lower dropout rates, and fewer disciplinary problems. According to a 1997 Hudson Institute study, smaller schools were the single most important reason that parents preferred charter schools over traditional public schools.

Unlike large classes, which result from inadequate resources rather than any misconception that they work better, large schools have been deliberately engineered. Since World War II, the number of U.S. schools has declined by 70 percent, while the average size of schools has increased by about 500 percent. Furthermore, the largest schools—those with more than 2,000 students—tend to be concentrated in big cities, serving our most disadvantaged kids. The traditional argument is that mega-schools can offer greater fiscal efficiency, more elective courses, and greater opportunities for extracurricular activities.

In fact, big schools tend to be more expensive than small schools because they require more administrative support—indeed, many have their own in-house bureaucracies. The evidence on curriculum and extracurricular offerings is mixed, but certainly does not offset the disadvantages of oversized schools in teaching kids in a disciplined environment. A 1992 study by researchers Jean Stockard and Maralee Mayberry concluded that “behavior problems are so much greater in larger schools that any possible virtue of larger size is canceled out by the difficulties of maintaining an orderly learning environment.”

Andrew Rotherham, director of the 21st Century Schools Project of the Progressive Policy Institute, summarized the available evidence in the February 24, 1999 issue of *Education Week*: “The research is pretty clear on this point: Smaller schools help promote learning. And, contrary to the prevailing wisdom, research shows that small schools are able to offer a strong core curriculum and, except in extremely small schools, a comparable level of academically advanced courses.”

How small is small enough for schools? Rotherham says, “the consensus of researchers is that no school should serve more than 1,000 students and that elementary schools should not exceed 300 to 400 students.”

We are happy to report that Vice President Al Gore is promoting the “smaller is better” message on schools. In his recent Iowa speech on education, Gore said:

We've done some things wrong in education, and here's one of them: herding all students in a 25-mile area into overcrowded, factory-style high schools. When teachers and principals must practice crowd control, it becomes impossible to spot the early warning signs of violence, depression, or academic failure—and it becomes even harder to do something about it.

Gore specifically called for making any new federal assistance for school construction available to school districts, not just for repairing old schools or building new ones, but for creating smaller schools if they so choose.

Small schools: a big idea that could have big consequences for public education.

Will the GOP Stick To Its Guns?

With public opinion polls showing large majorities of the American people—Republicans, Democrats, and Independents alike—favoring some measures aimed at keeping firearms out of the hands of kids, psychotics, and felons, the GOP's alliance with the gun lobby is under intense fire.

Outmaneuvered by Senate Democrats, most Senate Republicans went along with legislation favoring background checks at gun shows and childproof trigger locks on handguns. Now, House Speaker Dennis Hastert (R-IL) is promising enough Republican votes to pass similar, and perhaps even tougher, legislation as well.

The GOP is in the cross hairs of a weapon it knows quite well: a wedge issue. This is an issue where an important partisan constituency and/or funding group is decisively at odds with actual voters, and especially the swing voters who determine the outcome of close elections. The Republicans of the 1970s and 1980s were very adept at finding and using such wedge issues as crime, welfare, and national defense on liberal Democrats. The politician who is the victim of a wedge issue often looks like the proverbial deer in the headlights: frozen in terror at the prospect of choosing between swing voters and the loopier elements of the base, and desperate to evade the collision by changing the subject rather than moving in one direction or the other.

To the gun lobby and a small, but significant share of the GOP base, any concessions on gun control are a big step down the slippery slope to confiscation of guns and arrest by the "jack booted thugs" (to quote a famous NRA fundraising letter) of the dreaded Bureau of Alcohol, Firearms, and Tobacco. To most voters, anyone who opposes trigger locks or worries about inconveniencing the kind of people who attend multi-state gun shows has a screw loose.

It is now pretty clear that a considerable number of Republican Congressmen have decided they would rather annoy Charlton Heston and risk the ire of gun collectors and backwood libertarians than lose the elections of 2000. And in fact, the specific measures at issue in Congress are so modest that even gun enthusiasts will probably get over it once it is clear the black helicopters are not appearing to haul them off.

But unfortunately for the GOP, the wedge may get deeper when other gun control measures come to the fore in Congress or in the states. Governor George W. Bush of Texas, for example, signed a Texas law in 1995 authorizing Lone Star residents to carry concealed weapons. Similar legislation has passed in other states, but a concealed weapons referendum in Missouri earlier this year (before the Littleton massacre) went down to defeat despite a well-heeled campaign in its favor.

The concealed weapons issue is a potential wedge issue because it reflects the exotic belief of many GOP conservative activists (not to mention the gun lobby) that the best way to fight crime is not, as you might imagine, to hire more police or to lock up more criminals, but to arm the population to fight crime themselves—vigilante-style. Indeed, some conservatives (and the NRA quite explicitly) go so far as to support concealed gun laws and other efforts to spread gun ownership on grounds that all our liberties depend on an armed population ready to violently resist its own government should the need arise.

While a majority of Americans support the right of private gun ownership for self-protection, not that many think we should become a nation of private security guards policing our own streets and engaging criminals in a personal arms race. Fewer still, thank God, feel the need to stockpile arms in case they decide to overthrow the U.S. government. Republicans like Bush need to make it clear where they stand, not just on specific gun control measures but over the more basic issue of the role of firearms in U.S. society.

Democrats can and should press such issues, but they should not get carried away with their power. Wedge issues are legitimate and useful because they expose contradictions between the extremist convictions of some party activists and the reasonable centrist face most politicians like to show the public during general election campaigns. But as Republicans have amply shown during the 1990s, wedge issues are no excuse for a coherent overall governing agenda. Some traditional liberals are pouncing on wedge issues like gun control as a magic formula for retaking the House in 2000, and as the latest excuse for failing to address big issues like entitlement reform and fixing the public schools. New Democrats should remind themselves and their colleagues that the best—and in the end, the only reliable—wedge issue against today's Republicans is *governing*. It is an issue on which no Democrat can afford to be gun-shy.

Microsoft's Final Witness Stumbles a Bit

By JOEL BRINKLEY

WASHINGTON -- Microsoft Corp.'s final witness testified Monday that in his view of the world, the very actions that landed the company in court on antitrust charges have greatly benefited consumers, computer manufacturers and every company that is doing business on the Internet.

Richard Schmalensee, dean of the Sloan School of Management at the Massachusetts Institute of Technology, is the last witness in the long-running antitrust trial, and the company is trying to use his testimony to rebut each of the principal charges the government has raised in the last eight months.

Schmalensee offered arguments and evidence making the case that nothing Microsoft had done had harmed consumers -- an important factor in the case. But in at least one instance, his strategy backfired.

Judge Thomas Penfield Jackson, who is hearing the case without a jury, sat impassively through the morning as Michael Lacovara, a Microsoft lawyer, tossed easy questions at the witness. But the judge stepped in with a telling question as Schmalensee was trying to demonstrate that Microsoft had not engaged in predatory conduct by including a Web browser with the Windows operating system at no charge.

Schmalensee was standing before a sketch board presenting theoretical examples of predatory and nonpredatory conduct. In his first case, a company sold a product below cost, driving another company out of business. That, Schmalensee said, was clearly predatory.

He had moved on to a more benevolent example, when Jackson interrupted him, speaking up for the first time Monday to ask: "Why isn't what Microsoft did in this case a more egregious example of case one?"

Schmalensee stumbled for a moment but then said Microsoft gained many other benefits from including a Web browser in Windows. Later he pointed out that in classic economic theory, a predator lowers prices until the competition is weakened or destroyed and then raises them to recoup his lost profits.

But, he noted, Microsoft had not raised prices, even though government witnesses have said the competition, Netscape Communications Corp., has been so greatly weakened that the browser war is over.

Outside the courtroom, Lacovara said: "He's the final witness, testifying about the whole scope of the case. And our strategy is trying to find out what is on the judge's mind so we can address it."

The last time Schmalensee took the stand, in January, David Boies, the government's lead attorney, suggested that he was Microsoft's "house economist" and compared his testimony in this case with seemingly contradictory arguments he made in the past. The effect was to suggest that Schmalensee offered whatever opinion suited the need of the moment.

On Monday, Lacovara tried to turn the tables. He offered as evidence a fat binder of comments, articles and opinions that the government's economist, Franklin Fisher, another MIT professor, had offered over the years. And Lacovara intended to have Schmalensee help him demonstrate that they included contradictions.

As Fisher sat just behind him in the audience, Boies objected, complaining that it was not fair to try to impeach Fisher's testimony

after he had already left the stand. The judge appeared ready when Lacovara backed down.

Later, Schmalensee quarreled with Fisher's testimony that an economist ought to consider a company's intent when determining whether it was engaging in predatory conduct. That was not proper, he suggested. But Jackson told him, "You know, judging intent is what we do every day. Juries are called on to do it all the time."

At another point, however, the judge seemed to help Lacovara. The lawyer was trying to make the case that America Online, now that it has bought the Netscape company, was in a position to challenge Microsoft's dominance in browser and operating system software, despite America Online's protestations to the contrary.

He showed a document to the judge and the witness that America Online had insisted be held under seal. But the judge summarily unsealed it, saying there was no justification for the classification.

The document was the text of America Online's presentation to the board of directors for the November meeting at which the board would vote to approve the purchase. And it showed that the company planned to aggressively promote Netscape -- even though, in public, America Online executives have said the Netscape business is close to dead.

The company was "willing to spend up to \$10 per download" of Netscape "via promotions, contests, incentives and advertising to stimulate downloads," the report to the board said.

Lacovara asserted that America Online would be unlikely to spend that money on a product that was dead.

END

School Voucher Program Becomes Law in Florida

By THE ASSOCIATED PRESS

TALLAHASSEE, Fla. -- Gov. Jeb Bush Monday signed into law the nation's first statewide school voucher program, enabling students at Florida's worst schools to get a private or parochial education at taxpayer expense.

Opponents of the law said they would file a lawsuit on Tuesday to block it, but Bush, a first-term Republican, said the state was ready to defend its constitutionality.

Under the law, schools will be graded A, B, C, D or F, and students in failing schools will be able to go to private school with the tax dollars that would otherwise go to the public school. The amount could range from \$3,000 to \$25,000, depending on what extra services the student needs.

Students at only two schools, both in Pensacola, will initially be eligible for the vouchers. But tougher standards approved last year may push that number up significantly.

Former Adviser Indicted in Loss of \$71 Million

By BLOOMBERG NEWS

WASHINGTON -- A former Pennsylvania investment adviser has been charged with defrauding dozens of school districts and municipal governments out of \$71 million earmarked for school construction and other expenses, the United States Attorney in Pittsburgh said.

A 134-count indictment filed on Friday charges that the adviser, John Gardner Black, 55, concealed \$71 million in trading losses that his clients had suffered over three years. Black directed funds of his school district clients, most of them in Pennsylvania, into risky derivative securities but told the clients they were in low-risk securities that would return high rates, the Government said.

Black issued a statement on Friday maintaining his innocence.

"I did nothing illegal and to admit to legal fiction would be a repudiation of my entire professional career," he said.

Black, of Warriors Mark, Pa., previously settled similar civil fraud charges brought by the Securities and Exchange Commission, agreeing last year to pay \$4.4 million in restitution and fines and to be barred from the securities industry.

Director of Texas Shelter Is Arrested in Kentucky

By THE ASSOCIATED PRESS

FORT ARTHUR, Tex. -- The director of a homeless-shelter who is suspected of embezzling \$120,000 when he disappeared from here more than a month ago has been arrested in Kentucky.

The man, David Gillooly, 42, the executive director of Port Cities Rescue Mission, was arrested on Sunday night at the Louisville airport on theft charges after the authorities got a tip that he might be there. He had been missing since May 13.

Gillooly was also wanted for violating parole in Virginia, where he had been jailed on charges of forging checks while executive director of a nonprofit AIDS organization in Norfolk. The authorities said he had been a fugitive since 1996. He faces a

Man Sentenced to Life in Killings of Gay Men

By REUTERS

LOS ANGELES -- A man who pleaded guilty to the murders of five gay men, saying he strangled them to stop the spread of AIDS, was sentenced Monday to five life prison terms without the possibility of parole.

The man, Juan Chavez, 35, pleaded guilty in March to killing the five men in the 1980's. Under a plea agreement with prosecutors, he was spared the death penalty.

Judge Jacqueline Connor of Los Angeles County Superior Court sentenced Chavez to five consecutive life terms.

Prosecutors said Chavez met the men at bars and went home with them with the promise of sex, then robbed and strangled them and drove away in their cars. He abandoned the cars soon afterward.

Chavez told officials in an interview in 1996 that he had killed the men to stop the spread of AIDS.

END

2 Officers Accused of Lying to F.B.I. in Louima Inquiry

By DAVID BARSTOW

Federal grand jury in Brooklyn indicted two New York City police officers Monday and accused them of repeatedly lying to F.B.I. agents when questioned about the police torture of Abner Louima.

The officers, Rolando A. Aleman, 28, and Francisco Rosario, 34, are not accused of having any role in the assault on Louima, who suffered severe internal injuries when a stick was thrust into his rectum while he was restrained in the restroom of the 70th Precinct station house.

Instead, the seven-count indictment charges the officers with covering up what they saw and heard in the station that night. Specifically, it alleges that the officers lied when they denied seeing Louima with Justin A. Volpe, the officer who ended his trial last month by confessing to brutalizing Louima with the stick on Aug. 9, 1997.

A second officer, Charles Schwarz, was convicted this month of restraining Louima during the assault.

Officers Aleman and Rosario were arrested in December, but prosecutors decided not to seek a formal indictment until after the trial of the five principal defendants in the Louima case.

Lawyers said Monday's indictment reflected the determination of Zachary W. Carter, the United States Attorney in Brooklyn, to challenge the culture of silence within police ranks that sometimes thwarts investigations of police misconduct.

"I think this indictment certainly sends a message that law enforcement is not going to tolerate the blue wall of silence," said Edward P. Jenks, a lawyer for Officer Aleman.

Sanford A. Rubenstein, a lawyer for Louima, said: "It definitely brings a clear message that you can't lie to the F.B.I. when they're investigating a case of police brutality."

According to Federal investigators, Officer Aleman told them at one point that he was a "good cop" who did not want to be labeled a "rat." Later on, after he was confronted with evidence that he was withholding information, investigators said, Officer Aleman admitted to lying about seeing Volpe and another officer leading Louima to the restroom.

Officer Rosario, the indictment alleges, "concealed and covered up the fact that he was present" when Volpe escorted Louima to a holding cell moments after the assault.

Neither officer was assigned to the 70th Precinct. They were partners in the Street Crime Unit, working in plain clothes to catch people carrying illegal guns. They were in the 70th Precinct station house that night to drop off a man they had arrested.

"You want to talk about being in the wrong place at the wrong time," Jenks said.

Both officers will plead not guilty, their lawyers said. For each count, they face a maximum sentence of five years in prison and a \$250,000 fine.

Officer Rosario "is not a supporter of the blue wall of silence, and he didn't support it here," said his lawyer, Richard W. Levitt.

Jenks said Officer Aleman has made hundreds of arrests and received dozens of commendations. "My guy's life has basically been ruined by this," he said.

Their indictment, though, may have implications for two cases -- Louima's civil suit against New York City, and a second criminal trial for Schwarz and two officers who were acquitted last month, Thomas Bruder and Thomas Wiese.

The three officers face an additional charge of obstructing justice by inventing a cover story of what happened in the restroom.

Stephen Worth, a lawyer for Schwarz, said Monday's indictment made it "virtually impossible" for him to call either Officer Aleman or Officer Rosario as a defense witness.

"They're going to take the Fifth," he said, referring to their right to avoid self-incrimination.

As for Louima's civil case, Rubenstein said the indictment could bolster the claim that the attack on Louima was concealed by a broad conspiracy of silence.

END

13 Failing Schools to Be Closed by 2001

By ANEMONA HARTOCOLLIS and LYNETTE HOLLOWAY
Thirteen failing schools in New York City will be closed over the next two years, school officials said Monday, as part of a shake-up that Chancellor Rudy Crew is billing as the biggest restructuring of the system in decades.

Newly organized schools will eventually open in the same buildings, but up to half of the teachers and many principals from the 13 current schools could be removed or reassigned, officials said. Three schools will close at the end of this month and the other 10 will be phased out by June 2001, with no new students admitted in the next two years.

The 13 schools have been placed on a list of failing schools by the State Education Commissioner, Richard Mills, who has threatened to close them himself if they do not improve. Chancellor Crew has closed 24 schools since taking office in October 1995, although plans for some of those closings predated him.

As the city's Board of Education prepared to vote tomorrow on the closings, superintendents and principals across the city waited tensely for word of how many and which of them would be forced -- or eased -- out by Dr. Crew, whose aides said last week that he would remove at least five superintendents for poor performance.

But there was confusion, too, as Board of Education officials said some of the people said to be affected by the restructuring had announced their intention to leave the system weeks or months ago, either by retiring or taking other jobs. That prompted some critics to ask whether Dr. Crew was actually taking tough steps to change the system or was taking credit for changes that would have happened anyway.

For example, one of those named by Board of Education officials as among those being ousted is Joseph N. DeJesus, the Bronx high schools superintendent. DeJesus announced his retirement last month.

"I think the Chancellor is trying to take credit for everybody who's moving or retiring so he looks tough," said David Shulman, the Bronx representative for the United Federation of Teachers. "But I think this bucket is full of holes."

But another frequent critic of the board was more supportive. Raymond J. Domanico, the senior education adviser to the Industrial Areas Foundation, a community organizing group that has criticized Dr. Crew for not moving more quickly in replacing the principals of low-performing schools, said Monday that he was impressed by the apparent breadth of the Chancellor's plans. He said that his group's review of test scores showed that 10 to 12 of the 32 community school districts, which supervise elementary and middle schools, having a high concentration of failing schools.

"It has taken a while," Domanico said. "But we are very supportive of what the Chancellor's doing. We think he's doing the right thing for the right reasons."

The Chancellor decided last week to remove at least five superintendents, according to a top aide. That number has grown, officials said Monday, although Dr. Crew has refused to identify them. Chiara Coletti, a spokeswoman for Dr. Crew, said he would announce his final decisions tomorrow.

One superintendent of a district in the Bronx was reported leaving in tears from a meeting with Dr. Crew Monday.

Another superintendent said his mood had fluctuated for days between fear -- as reports circulated that his performance was being scrutinized because of low test scores -- and optimism, as no

one from Dr. Crew's office called him in to tell him that his job was in danger and to give him a chance to defend himself.

"All I can say is that I'm reacting to what other people tell me," said the superintendent, who did not want to be named in the hope that his job would be spared in the end.

Dr. Crew has been under heavy pressure to show that he can turn around failing schools. Over the last few weeks, Mayor Rudolph W. Giuliani, who has been feuding with the Chancellor, has repeatedly called on Dr. Crew to develop a plan for "radical reform," including the dismissal of teachers and principals in failing schools.

At the same time, state and city test scores released over the last two months have showed a decline in achievement in elementary and middle schools, only a year after Dr. Crew was awarded a \$50,000 raise based in part on the results of previous tests that showed a rise in scores.

Anthony P. Coles, a senior adviser to Giuliani on education, said Monday that the Mayor had not been briefed on Dr. Crew's plans.

Among the community school districts Dr. Crew was said to be scrutinizing because of low test scores were District 5 in Harlem; Districts 7, 9, 10 and 12 in the Bronx, and Districts 18 and 19 in Brooklyn. Most have a history of low test scores and in some cases corruption that predates Dr. Crew, and have been marked by a high turnover of superintendents.

All of the low-performing superintendents being scrutinized were appointed by their local school boards during the administration of Dr. Crew. Three of them, Askia Davis in District 5, Maria Guasp in District 9, and Mary Rivera in District 12, were first appointed as caretaker superintendents by Dr. Crew, local school board officials said. Ms. Guasp and Ms. Rivera subsequently received permanent appointments; Davis's name was one of three that the local school board submitted to Dr. Crew last week as a candidates for permanent appointment.

All of the children in the schools being closed will be guaranteed places in schools that are not on the failing list, Ms. Coletti said.

"Progress has been too slow," Ms. Coletti said. "It's better to accommodate the children in other ways."

END

Rail drifter joins Most Wanted List

By Dennis Cauchon
USA TODAY

A suspected serial killer who travels the nation by freight train was added to the FBI's Ten Most Wanted List on Monday, just hours after he was charged with killing yet again.

Rafael Resendez-Ramirez, 39, a drifter with a long criminal record, was charged Monday with murdering an elderly man and his adult daughter in a home about 100 yards from a train track in Gorham, Ill.

Law enforcement officials say the latest deaths are chilling confirmation that Resendez-Ramirez did not flee the country when he abandoned a stolen car two weeks ago at the Mexican border in Del Rio, Texas.

Instead, they say, he appears to be hopping freight trains and randomly killing people who live near train tracks.

"We haven't heard the last of him. This is like a tornado gathering strength," says Mike Cox, spokesman for the Texas Department of Public Safety.

Resendez-Ramirez has been linked by fingerprint and DNA evidence to eight murders: the first in Kentucky, followed by five in Texas and two in Illinois.

He is a suspect in numerous other killings, including a double homicide discovered Sunday in Apple River, Ill., about 330 miles north of Gorham, Ill. Lab tests are pending in the other cases.

In the latest murders linked to the railway killer, George Morber, 80, and his daughter, Carolyn Frederick, 51, were discovered this past Tuesday in their home near a crossing where trains slow or stop.

Morber had been shot with a shotgun. His daughter had been beaten to death with the shotgun, according to police.

In previous cases, the victims had been beaten to death with items found at their home, such as a statue or sledgehammer.

Morber's pickup was abandoned 60 miles away at a school in Cairo, Ill., about 1 mile from the nearest rail line.

"Never say never, but I think he's out of our area for good," said Sheriff William Kilquest of Jackson County, Ill.

The FBI says Resendez-Ramirez is 5 feet, 7 inches tall and weighs 150 pounds.

He has scars on his ring finger, left wrist and forehead, plus a snake tattoo on his left arm. The native of Puebla, Mexico, has used many aliases, most of which include the name Angel.

He is a heavy user of alcohol and other drugs, the FBI said. His criminal record includes immigration violations, aggravated assault and being a felon in possession of a firearm.



By Brett Coomer, AP

FBI seeks alleged serial killer: Don Clark of the FBI holds a wanted poster of Rafael Resendez-Ramirez in Houston.

Miami's stilt houses get new lease on life: 5 months, maybe more

By Deborah Sharp
USA TODAY

MIAMI — Seven quirky houses perched on stilts in the middle of Biscayne Bay can stay, for now, after months of controversy over whether the private homes belong in public waters.

The houses that make up Stiltsville and serve as reminders of Miami's colorful past were facing destruction, beginning July 1. The National Park Service, which controls Biscayne National Park, had said the houses must go when their leases expire this month.

But Monday, Rep. Ileana Ros-Lehtinen, R-Fla., and Dick Frost, superintendent of Biscayne National Park, announced that the houses can stay for five more months while talks continue.

"Everyone is elated," said Laura Roberts, co-owner of one of the houses. "We knew we needed more time."

The stilt houses have broad community support and the backing of powerful political leaders. Seven miles offshore of downtown Miami, the houses are all that's left of a once-legendary colony that included an illegal gambling barge and the racy Bikini Club of the 1960s.

The only way to get there is by boat. Most of the houses are shared among several families and used as

weekend getaways. Airline pilots point out Stiltsville from above, novelists use the houses for exotic plot twists and millions still glimpse the spindly structures in reruns of Miami Vice, the TV series that defined the city in the 1980s.

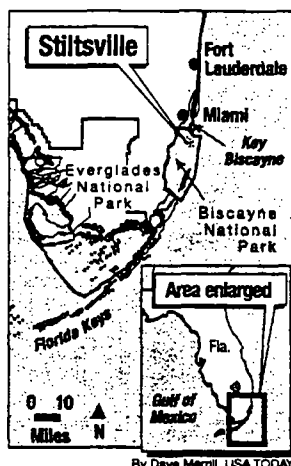
"I'm optimistic this five-month window will allow us time to develop a long-term solution in the best interest of both Stiltsville and Biscayne National Park," Ros-Lehtinen said. She said she will pursue special legislative status for the Miami landmarks, so they can stay indefinitely.

"We want to be perfectly clear the public's interest in Biscayne National Park will not be compromised," Frost said.

Park Service officials say the houses have no place in Biscayne Bay. The park was created to preserve the bay's environment, and the homes are not natural, they say. Officials argue that allowing the pri-

vately owned structures in a public park sets a risky precedent.

The 1930s-era community once numbered two dozen structures. Fires and hurricanes destroyed all but the more modern homes that stand today. Stiltsville became part of Biscayne National Park in 1980, when Florida's submerged lands were transferred to the federal government. The homeowners' 25-year leases for bay bottom originally were struck with the state.



School voucher plan signed into Fla. law

Reuters

MIAMI — Florida Gov. Jeb Bush signed legislation Monday making the state the first in the nation to offer a statewide program of vouchers to help parents of students in failing schools offset the cost of private education.

Florida's House and Senate approved the controversial plan in April. It fulfills a major campaign promise made by Bush during his run for governor last fall.

"By signing this plan into law, we are honoring our commitment to ensure that every child in the state can learn," Bush said. He signed the measure into law after receiving more than 8,000 telephone calls, letters, petitions and e-mail asking him to veto the package.

Opponents, which include the American Civil Liberties Union and the National Association for the Advancement of Colored People, have promised lawsuits against the measure.

They say a provision that would allow parents to transfer children into religious schools violates a constitutional prohibition against public funding of religious institutions.

Critics also warn the program will siphon off much-needed funding as

well as the most promising students from failing schools, leaving them worse off than they had been. The plan will have a disproportionately adverse effect on schools in Hispanic and African-American communities, they say.

The measure assigns grades from A to F to each of Florida's public schools, based on standardized test scores. Schools scoring well would qualify for additional state funding.

Students in schools rated "F" for two years out of four would be allowed to transfer to another public school or accept vouchers worth up to \$4,000 to help offset private school tuition.

Church-run schools accepting voucher students could continue to teach religious courses, but they could not require students to pray.

While Florida has ranked near the bottom historically of the 50 U.S. states in standardized test scores and education funding, only students in Florida's worst schools would qualify for vouchers.

Presently, only four schools in the state would qualify. State education officials have said that as many as 169 schools could be added to the list in the 2000-01 school year as state educators raise the academic bar.



Bush: Follows through on promise

Today's debate: Licensing pilots

In other countries, flying rules would have grounded Kennedy

OUR VIEW U.S. pilot licensing is more lax, with fatal consequences.

John Kennedy Jr. wasn't breaking any laws when he flew his speedy, single-engine Piper Saratoga through the night sky. But in other countries he would have been, raising questions about the adequacy of U.S. safety rules.

Britain and Canada don't let novices with Kennedy's skills fly alone in darkness. Such pilots — with 200-odd hours of flight experience and no qualifications to fly by instruments instead of by sight — are required to go through extra instrument and practical training for a "night rating."

Even with the rating, the pilots' night flying is restricted until they're qualified to fly by instruments only. For example, British pilots with a night rating must take a refresher course in night flying if they've been out of practice for a year.

Kennedy, by contrast, was allowed to take off into impending darkness even though he had only his pilot's license, with its rudimentary requirements for flying by instruments instead of by sight.

It requires three hours of instrument-only flying, one night flight in good-visibility conditions, and 10 nighttime takeoffs and landings, all of which take place before a pilot sets out on his own.

So Kennedy found himself an hour after takeoff approaching Martha's Vineyard in difficult and unfamiliar conditions, potentially disoriented by the black of night and lacking lights to guide him.

The latest evidence suggests he may have lost his equilibrium, as is common in such circumstances, and sent his plane into an uncontrollable "graveyard spiral" of a type that kills scores of private pilots every year. Short of training and experience, he had little chance to recover.

Wisely, U.S. licensing rules do require pilots without instrument training to avoid low-visibility conditions or escape them as soon as possible.

Stricter rules abroad

In the United Kingdom, a licensed pilot such as John F. Kennedy Jr. would have had to complete extra training before being allowed to make the kind of night flight he made Friday. Permission to fly at night is granted to pilots who have, separate for their license, instrument rating qualifications or:

- ▶ 5 hours of flying, with an instructor, with instruments only
- ▶ Coursework
- ▶ 5 hours of night flying, with an instructor, including 1 hour of night navigation
- ▶ 5 takeoffs and landings at night
- ▶ 5 takeoffs and landings at night in the year preceding a night flight (to avoid letting the training lapse)

Source: Civil Aviation Authority, United Kingdom

But at night, let alone over unlit water when the pilot has no points of reference below, such an escape can prove impossible.

Few pilots risk this sort of disorientation. About 90% of single-engine flying in visual flight conditions takes place during the day.

But for those who take advantage of their license's permissiveness, the risks are great: From 1995 to 1997, for instance, flying from clear skies into conditions as disorienting as those Kennedy is thought to have encountered caused 116 accidents, 85% of which proved fatal.

Despite the danger, pilots tend to resist rules that restrict their behavior. But as the deaths of Carolyn Bessette Kennedy and her sister Lauren too eloquently demonstrate, the pilots are not the only ones at risk.

The Federal Aviation Administration could institute a British or Canadian-style night rating, or restrict night flying by the unqualified pilots in some other way.

But it says that with the safety record of general aviation improving, there has been little call to alter the rules.

The Kennedy tragedy calls for a closer look.

If other countries protect inexperienced pilots and their passengers from predictably hazardous night flying conditions, perhaps it's time the USA should do the same.

Can requiring politeness help kids? Yes, ma'am!

By DeWayne Wickham

It's the law.

Students in Louisiana's grade schools will have to address teachers and other officials as "sir" and "ma'am" when they return to class after the summer break. A bill signed this month by Gov. Mike Foster mandates this show of respect — a required act of civility that could be a national blueprint for a better learning environment in schools across the nation.

In the Bayou State and elsewhere, mannerly schoolchildren are on the decline, and disorderly schools seem to be on the rise. Requiring young students to use respectful terms when addressing school officials could help reverse this trend.



By Tim Mueller, AP

Gov. Mike Foster

Discipline is a key to learning — and good manners breed discipline. In the best of worlds, children should learn manners at home. But today few youngsters seem to get that kind of home schooling.

"Just as we are charged with teaching young people the educational basics in their formative years, we can teach them manners, too," said state Sen. Donald Cravins, a sponsor of the bill.

Critics say you can't legislate manners.

Cravins thinks it's worth a try.

"Maybe we can't legislate manners, but I'm damn well willing to try if it means we might be able to salvage some of the students we are losing," he said.

That makes sense to me. Why not require children from kindergarten through the fifth grade to be respectful of school officials — the adults with whom they spend a good portion of their formative years? After all, most behavior is learned, isn't it? Why not try to teach children some basic social graces at an early age?

Courtesy, after all, is the flip side of obedience. Classrooms overrun with discourteous kids are barriers to learning. Teaching them civility during their early years in school could have a positive ripple effect on the educational environment in Louisiana's middle and high schools.

Complying with civility law

Students who run afoul of the new law cannot be expelled or suspended. Beyond that, state officials leave it up to local school boards to determine the punishment for youngsters who refuse to address teachers respectfully. Creative school officials should be able to come up with an appropriate mix of incentives and disincentives to get widespread compliance.

The job of public schools is to educate a diverse student population. The challenge for teachers and school administrators is to keep classrooms orderly so that learning can take place. The benefits of this could be far-reaching.

Just as New York City police sharply reduced crime in the Big Apple by cracking down on nuisance offenses, public schools might well experience a downturn in disruptive behavior among students if they also institute a zero-tolerance policy. A student's disrespect of teachers and other school officials can be a warning sign of more serious problems to come.

Another benefit of improving unruly public students

Those who oppose Louisiana's efforts to make public school students more mannerly play into the hands of the proponents of school vouchers. One of the arguments made by people who support using taxpayer dollars to finance private school education for some students is that public schools are unruly. Requiring students in public schools to treat their teachers with respect will help counter the school voucher movement.

"Let's try to do the best we can and see if we can make a difference," Cravins said of his bill.

Exactly. Rather than pass the buck, Louisiana's legislators enacted a law they hope will help make the state's public schools better. Is there more they can do? Of course, but this little step is an important one.

Public education is the spine of a democracy. The challenge is to make it work. In a small way, Louisiana's new law seeks to do just that. Getting students in elementary school to say "ma'am" and "sir" to their teachers, we hope, will produce schoolchildren who are better behaved and eventually adults who are more respectful of others.

Of course, there is the possibility that this attempt to use the force of law to make young schoolchildren respectful of school officials might fail. The bad things that many kids learn before they enter school might be too deeply ingrained for Louisiana's law to succeed in making them more civil.

But the chance this harmless law might produce the desired results — and be a blueprint for other states to follow — makes its enforcement worth the effort.

DeWayne Wickham writes weekly for USA TODAY.

Bauer vs. Bush

Presidential candidate Gary Bauer yesterday dismissed Republican front-runner George W. Bush as a virtual clone of Vice President Al Gore on important issues.

Mr. Bauer's attack, in a telephone interview with Reuters correspondent Alan Elsner, marked a new sharpening of the assault that some Republicans are beginning to mount against Mr. Bush, the Texas governor and son of former President Bush, who leads them by an overwhelming margin in fund-raising and in the polls.

"I'm going after the governor as strongly as I can, trying to elevate the fact that on several key issues, there's no difference between him and Gore," Mr. Bauer said.

Mr. Bauer, who is in the middle of a 1,000-mile bus trip through Iowa, said he was making the same point at every campaign stop, speaking to small crowds of 25 to 75 persons.

'Reckless and insane'

Some may laugh at the prospect of TV talk-show host (and former Cincinnati mayor) Jerry Springer running against Sen. Mike DeWine, Ohio Republican. But Tim Burke — chairman of the Democratic Party in Hamilton County, Ohio, and a longtime friend of Mr. Springer's — isn't.

"I think he would make a tremendous asset to the ticket," Mr. Burke tells the Cincinnati Enquirer, claiming that Mr. Springer "could bring in a lot of the disaffected voters and energize the political process."

Ohio state GOP Chairman Bob Bennett suggested the Springer candidacy is a sign of Democratic desperation: "Who's their next candidate? Howard Stern?"

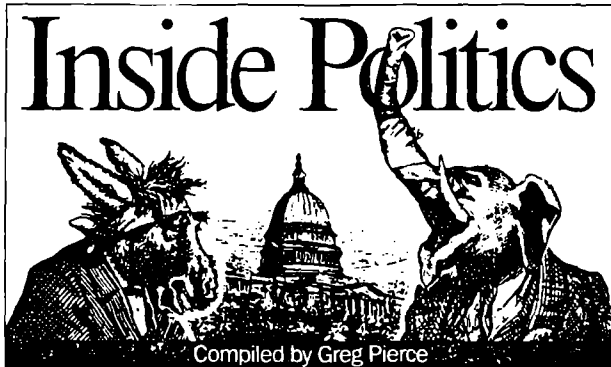
Norman Ornstein of the American Enterprise Institute sides with Mr. Bennett.

"Two words come to mind: reckless and insane," Mr. Ornstein told the Enquirer. "This is a guy whose personal and professional life makes [ex-professional wrestler and now Minnesota Gov.] Jesse Ventura look like Mother Teresa."

Brushback pitch

David Cone, the New York Yankees pitcher who hurled a perfect game last week, threw a brushback pitch at first lady Hillary Rodham Clinton on Tuesday.

Mrs. Clinton, an apparent candidate for U.S. Senate from New



York, surprised everyone not long ago when she donned a Yankees cap and declared that she had been a lifelong fan of the team.

Mr. Cone, in a ceremony at City Hall to honor his rare feat, complimented Mayor Rudolph W. Giuliani as "a sincere Yankee fan."

"I mean, there's a lot of politicians that say they're baseball fans and put on the cap and . . ."

At that point, Mr. Cone was cut off by cheers from the audience, the New York Post reports.

'Particularly chilling'

Bartle Bull, a lawyer and writer who served as Robert F. Kennedy's New York City campaign manager in 1968, says he finds it "particularly chilling to see Hillary Clinton presented as his natural heir — another out-of-stater, inevitable presidential candidate, and dynamic liberal leader."

Mr. Bull said New York Democrats "face an ugly decision" in choosing between Mrs. Clinton and Republican Mayor Rudolph W. Giuliani in the U.S. Senate race.

"As a lifelong active liberal Democrat, I find the choice not difficult," Mr. Bull said in an opinion piece in the New York Post. "In all our campaigns, we were trying to work for decent and intelligent government. Neither Clinton can give us that. It is not in their character; and their hands are too dirty."

Governor or monarch?

California Gov. Gray Davis has offended his fellow Democrats by declaring that the legislature's job is "to implement my vision."

"It was my vision that commanded a 20-point victory, the largest in 40 years," Mr. Davis told the San Francisco Chronicle's editorial board. "People expect

government to reflect the vision that I suggested."

The governor added, "Their job is to implement my vision. That is their job."

Senate leader John Burton, a San Francisco Democrat, disagreed. "I think we're a government of checks and balances," he said.

Democratic lawmakers' relationship with the first-term governor was already strained by his attempts to stall legislation, the Associated Press reports. The Democrats have a majority in both the House and Senate.

Some of Mr. Davis' fiercest critics pounced on his remarks as proof he has gotten carried away with his own power.

"This is not a monarchy, and Gray Davis is not the king," said Harvey Rosenfield, head of the Foundation for Taxpayer and Consumer Rights.

17 points behind

Vice President Al Gore continues to trail the GOP presidential front-runner by a large margin, according to the latest poll.

However, Gore campaign officials profess to be unconcerned.

The latest Gallup poll, published yesterday in USA Today, showed Mr. Bush, the governor of Texas and son of former President Bush, leading Mr. Gore by 55 to 38 percent. It carried a margin of error of 3 percentage points.

"People think Bush seems new and interesting, and beyond that, they aren't willing to think any further or deeper about this campaign," an unidentified Gore aide told the Reuters news agency.

The poll also found 50 percent of respondents saying they would like the next president to pursue different policies from those of President Clinton, compared with 38 percent who favored a continuation of the same policies.

Hold the mail

Robert Coonrod, president of the Corporation for Public Broadcasting, had promised Congress that he would reveal by the close of business yesterday the identities of roughly 30 stations that swapped their mailing lists with political parties.

Well, yesterday came, and Mr. Coonrod backed down.

"It will come through the [inspector general's] official report" next month, CPB spokeswoman Jeannie Burton says.

A Freedom of Information Act request to obtain the names is out of the question since the corporation isn't covered by the act, which governs typical federal agencies and departments. The CPB is set up as a 501(c)3 non-profit organization, though 99 percent of its administrative budget is funded by taxpayers.

Evidence insufficient

The San Diego district attorney moved Tuesday to dismiss non-criminal charges of willful misconduct against Mayor Susan Golding over a proposed new \$411 million baseball stadium.

A 47-page motion filed in San Diego Superior Court said the evidence against Mrs. Golding was either insufficient, inadmissible or factually incorrect.

A county grand jury in June had accused the Republican mayor, who is in her second term, of offering to back a \$4 million program to promote tourism if the county hotel-motel association supported plans for the stadium.

The rare misconduct charge carries no criminal penalty, but it could have led to Mrs. Golding's removal from office, Reuters reports.

District Attorney Paul Pfingst's motion to dismiss the charges will be heard today when Judge Wayne Peterson will decide whether to proceed with the case.

Mrs. Golding, who has termed the accusations groundless, told reporters Tuesday she was "pleased and delighted."

Rich overpay

The top 10 percent of individual income-tax returns for 1996 accounted for 62.5 percent of such taxes collected, the Wall Street Journal reports. However, those taxpayers accounted for only 41.6 percent of total adjusted gross income.

● Greg Pierce can be reached at 202/636-3285 or by e-mail at Pierce@twmail.com.

The Washington Times

THURSDAY, JULY 22, 1999

First 130 students opt for vouchers under Florida law

By Andrea Billups
THE WASHINGTON TIMES

In the inaugural test of the nation's first statewide voucher law, 130 students at two failing schools on the Florida Panhandle have elected to accept "opportunity scholarships" to attend schools of their choice.

Sixty-two students have chosen to attend a private or religious school at public expense, while 78 students will use the vouchers to attend another public school rated a C or higher under Florida Gov. Jeb Bush's new education-reform plan.

Both sides in the voucher fight are claiming small victories as the controversial Florida program gets under way for the new school year.

Voucher proponents say only 18 percent of the students at Dixon Elementary in Pensacola and just 13 percent of those at Bibb's Elementary opted to accept vouchers — hardly the mass exodus predicted by some school-choice critics. A total of about 800 students attend the two schools.

"We've been able to show you can have school choice ... and there's no massive disruption to public schools," says Floridians for School Choice spokesman Randy Lewis.

Adds Matthew Berry, an attorney for the Washington-based Institute for Justice, which is helping Mr. Bush's staff defend a lawsuit filed by voucher opponents: "This shows that this isn't a program about private schools. It's a program about giving children choices, both public and private."

A spokesman for Florida's largest teachers union interprets the numbers differently and says the tepid interest shows many parents, despite their school's failing grades, don't want to give up on a cornerstone of their neighborhood.

"It appears that many of the parents have turned their backs on the

voucher scheme," the union's spokesman David Clark said.

Instead, families are choosing to stay and work to make struggling public schools better, he said.

Ronald Meyer, a Tallahassee lawyer, represents a growing coalition of public-education supporters, including the National Education Association, the American Civil Liberties Union, the National Association for the Advancement of Colored People, and Americans United for Separation of Church and State, who have sued the state of Florida.

The coalition will assert that Florida's voucher law not only is unconstitutional under the establishment clause of the First Amendment, but also violates the state Constitution, he said.

The voucher law, passed by the Florida legislature in June, is a part of a comprehensive education-reform bill called the A-Plus Education Plan. Under the legislation, schools are graded A to F, based on state standardized test scores. All students who attend schools who receive failing grades for two years in a row qualify for state-funded "opportunity scholarships" that range from \$3,000 to \$25,000.

The education-reform plan does not leave failing schools out to dry, as critics have charged, said Cory Tilley, a spokesman for Mr. Bush. Rather, he said, they receive money to help them improve, along with great flexibility in how they use it.

"Not only do children now have choice, but the two schools that have been given this label are going to improve with a greater deal of enthusiasm," he said.

Mr. Clark disagrees, calling vouchers educationally unsound, fiscally irresponsible and unconstitutional. The heated issue, he adds, most likely will have to be taken up by the Supreme Court before it is settled once and for all.

The Washington Times

THURSDAY, JULY 22, 1999

play right now."

Orfield sees the country reverting to "separate but equal just like we did a century ago. There's no evidence whatever that that will work."

But Shelby Lanier, 63, Louisville, Ky., a retired police officer who policed some of the violent outbreaks over desegregation, has a different view. He's now pushing the school board to make his former high school in Louisville predominantly black again.

Inner-city concerns

When Lanier graduated in 1954 and his wife graduated in 1970, the entire school population was black. With integration, the school was changed to a magnet that now prohibits most of the black neighborhood children from attending so that whites can be encouraged to enroll.

Lanier, who no longer lives in the same neighborhood, says his 18-year-old daughter, Rashedah, graduated from his old high school this spring. But she had to be bused.

"To say that we have an integrated system when we have one of the most segregated so-called integrated systems there is, is a shame," says Lanier, who was president of the Louisville NAACP four years and president and co-founder of the National Black Police Association.

"Now it's segregated in a way that has an adverse impact on African-American children, with tracking, magnet schools — all these things designed to benefit white students and appease the rich and affluent whites in the community who don't live in the inner city."

'Still committed'

Ernest Green, who was one of the Little Rock Nine who integrated Central High School in Little Rock, Ark., in 1957, takes issue with Lanier's perspective.

"Central has maintained academic excellence... That's a challenge for us whether the school is segregated or not. You want to compete against the best there is. What we fought for in 1957 was the option to be able to do that and I'm still committed to that."

Academic excellence should be the focus, not integration, insists Brewster Rhoads, 47, of

Cincinnati. Rhoads is national president of Parents for Public Schools, a group that seeks to discourage parents from putting their children in private schools. The group touts the benefits of a public education.

"Another way to look at it is, we're moving past integration into academic excellence," Rhoads says. "The better the quality is of public schools, the more likely it is voluntary integration. People of all walks of life will want to go to those schools because they are good, high quality."

Rhoads says Cincinnati schools are about 70% black and 30% white. "Who cares about whether white kids come to our schools or not? We're beyond that. The question is how to make our schools in our neighborhoods — regardless of the racial composition — high quality schools with caring, confident teachers who have high standards and expectations for students and a commitment to working closely with the family."

'A noble chapter'

Still, Orfield is troubled by the erosion of progress in the areas of integration.

"I think the saddest part is that we actually showed that we could do it (integrate) in the most difficult parts of the country," he says. "These reforms actually have produced some lasting successful models of integration education on a large scale for the first time in American history and we are now in the process of throwing those lessons away."

But Armor says historians will view America's attempts at integration "as a tremendous success."

"We dismantled a system of mandatory Jim Crow laws," he says. "We completely abolished that. We looked at the schools, which are more complicated because you can't force where people live. The Brown decision integrated and removed barriers throughout civilization."

True enough, Price says. "But we've sort of discovered the outer limits of what you can do to engineer (integration) and also how resistant people are."

"It's probably a noble chapter in integration that's over."

Asian and 1.2% Indian/Alaskan. Orfield, who wrote the re-segregation report with John Yun, says that from 1968 to 1996, the percentage of school-age Hispanics and blacks has increased 218% and 22%, respectively, while whites dropped 16%. But the report shows a "clear and consistent eight-year decline" in integration — beginning in the late 1980s and continuing through the 1996-97 school year — as the percentage of black students in majority white schools in the South fell from a peak of 43.5% to 34.7% in 1996. The integration level has fallen below the level achieved 24 years earlier in 1972.

"If you really try to make sure that schools have some percentage of different races in it, you are going to wind up making everybody mad," Jones says. "I'm resigned to the fact that the percentages are going to get out of hand nationally. A better use of someone's energy is to boost academics."

Different views

Economics also play a role in integration, says Hugh Price, president of the National Urban League. "I think we have given up on the tools that can engineer integration and decided to let economics take their course," he says. "I think it's lamentable but it's the state of

COVER STORY

Is school desegregation fading?

By Tamara Henry
USA TODAY

AI

Oklahoma City ended its school desegregation efforts eight years ago; Prince George's County, Md., halted its busing program last year; and now Boston, long an icon in the fight over school busing, has targeted September 2000 to get out of the business of moving students to achieve racial balance.

It's been 34 years since the nation began to integrate its classrooms through court-ordered busing. Now, the question the country faces — and may have answered to some extent already — is whether the USA has given up on the ideal of racial integration of its schools, a defining part of life in late 20th century America.

A CNN/USA TODAY/Gallup Poll out today finds that 59% of Americans say more, not less, should be done to integrate the nation's schools, and that's up from 56% in a similar poll in 1994. Blacks are significantly more likely than whites to support the idea of increasing integration efforts.

But it's clear that priorities have changed, too. When given the choice of "stepping up efforts to integrate white students with minority students in the public schools" or increasing "funding and other resources for minority

schools," 60% of those polled — blacks and whites split equally — want to increase funding for minority schools, up significantly from 48% five years ago.

The numbers, in part, may reflect growing frustration among minority parents whose children have to endure the greatest burden of long bus rides for desegregation. But parents in general complain that millions are being poured

COVER STORY

into balancing schools when the money could be used for improving academics.

Experts, on the other hand, say recent Supreme Court rulings and federal court decisions have created an atmosphere in which more school officials and parents are willing to abandon mandatory busing or assigning students based on race.

"I don't think the nation has given up on (integration)," says Gary Orfield, a desegregation specialist at Harvard University's Graduate School of Education. But, he insists, "we are being pushed into segregation by the Supreme Court. There are five members of that court that really don't see any racial problems in this country except discrimination against whites. They really don't see desegregation as a long-term goal in this country. They see it as a temporary punishment to whites, which should be ended as soon as possible."

Change in Boston

In Boston, Superintendent Thomas W. Payzant acknowledges that fear of losing a case if challenged in court forced the Boston School Committee last week to drop race as a factor in deciding which school a child attends.

"It's not because of a lack of a continuing commitment to diversity or its value in our schools and community," Payzant says. He has painful memories of the "very aggressive stance" the school district took to defend racial preference policies at the prestigious public Boston Latin School, "only to have a federal appeals court strike it down" in 1998.

Payzant is bracing for another battle next week when Chester Darling, the white parents' lawyer, is expected to go to court to demand that the system be changed in time for the fall term, rather than waiting for 2000 to take effect.

"We are going to fight that vigorously," Payzant says. "There's no need to disrupt the lives of those who have chosen schools and given assignments in good faith and expect to have them in September and then say that everyone should scramble around in August to change it all."

National movement

But rather than a sign that people are "throwing up their hands" about integration, David Armor, a desegregation expert at George Mason University, Fairfax, Va., says courts "are moving in the direction that was anticipated many years ago."

The court orders were not intended to be permanent injunctions requiring mandatory busing or assigning students based on race. I think there's some misunderstanding about that."

Misunderstanding or not, the list of major school districts in the process of ending or phasing out their desegregation plans is sizeable, including Buffalo, N.Y.; the Florida counties of Broward and Duval, home to Fort Lauderdale and Jacksonville, respectively; Clark County, Nev., home to Las Vegas; Nashville-Davidson County, Tenn.; Mobile, Ala.; Minneapolis; Cleveland; San Jose, Calif.; Seattle; and Wilmington, Del., Orfield says in a recent report, *Resegregation in American Schools*.

Christine DeBartolo of the Department of Justice says that since the early 1970s, a total of 42 school desegregation cases, affecting 45 school districts, have been dismissed. Thirty-four other school districts also are no longer under court order, although their cases have not necessarily been dismissed.

Recent legal action

A number of other major districts are now in litigation or have just completed legal action over the issue.

► In Charlotte, N.C., Judge Robert Potter is to rule in the next few months on whether

children should be assigned to public schools based solely on race, a practice that reaches back to a 1969 court order that mandated a busing program to dissolve all vestiges of dual public school systems for black and white children.

Charlotte is the site of the nation's first desegregation plan that used court-ordered busing. Now, Charlotte-Mecklenburg School District officials and black parents are fighting the suit brought by a white parent whose daughter was refused a slot at a magnet school because of her race.

Today, more than 25,000 of the district's 99,003 schoolchildren are bused each day solely to diversify schools. While 59% of the school-age children in Charlotte are white, officials say the percentage in the public schools dropped below 50% this year. ► In Hartford, Conn., a Superior Court judge rejected accelerated school desegregation efforts. Officials wanted an increase in a voluntary busing program called Open Choice. But Judge Julia Aurigemma ruled that the state is moving fast enough to desegregate Hartford schools. She warned of "white flight" if the program was accelerated.

► The St. Paul, Minn., school district this week agreed not to use race for admissions purposes in any of its schools for five years. The policy settles a case

in which four children had been denied admission to an acclaimed magnet school.

The agreement barring the use of race is in addition to new state regulations that took effect earlier this week that prohibit Minnesota public schools from using race-based admissions criteria.

A changed society

Ironically, the Supreme Court — accused of reversing many of the gains of the Civil Rights movement — actually launched the nation along the path of integration. In 1954, the Supreme Court outlawed intentional segregation in the South with its *Brown v. Board of Education* ruling.

But times have changed, says Richard Jones, a Topeka, Kan., attorney working on the current class action version of *Brown*.

"I think people are more accepting of the fact that we are not going to achieve racial balance," he says. The demographics of large cities today are so different from 45 years ago, he says, it would take "a super effort to even keep some white kids in some of the cities."

Right now, U.S. Department of Education statistics show that of the 36 million students enrolled in public schools, 63.4% are white, 17.1% are black, 14.5% Hispanic, 3.9%

1/2

Students watch Washington at work

Civics lesson comes to life

By Christa A. Papas
USA TODAY

While many Washingtonians exit the city during the summer to avoid the infamous swamp-like weather, legions of high school students from around the country rush downtown for a session in civic education.

The only question is why.

Clearly, the students — often visiting as part of a nonprofit foundation's educational outreach program — are earnest and aspire to change the world by acquiring knowledge they can't get in their hometowns.

But recent polling about student views of government suggests the students are less than enamored of the leadership from the nation's capital.

In a nationally representative poll of 501 high school students for the Close Up Foundation released in June, 63% said they are interested in volunteering for charitable causes, but 70% had no interest in jobs in the government or politics.

So what keeps them coming?

"Coming from Iowa, I normally don't get the chance to meet with congressmen and experience the way politics work," says Jackie Wuebker, 16, of Emmetsburg, Iowa. "Going to Washington is my one chance to get involved."

The bulk of these groups roll into town during the summer, but some visit through year-round programs.

Students trot from office to office in slacks, shirts and ties or in dresses to rub elbows with members of Congress, the executive branch, academia and the media to see how the system works.

Among those sampling civic life in Washington:

► The Close Up Foundation brings 1,000 to 1,500 students a week through the city during the school year. A typical Close Up week in the nation's capital includes a tour of the landmarks and museums, plus a visit to the theater at night. Students meet members of Con-

gress, policy experts and even actors. This summer, Hollywood met Washington when actor Billy Baldwin, president of the Creative Coalition, spoke to students about the First Amendment, arts advocacy and children's education.

► The Junior Statesmen Foundation brings 330 students to Washington for a competitive four-week summer school program at Georgetown University. The foundation focuses on nonpartisan education about politics. Students take courses such as American government, foreign policy and constitutional law and can earn high school or college credit. A

typical day starts at 8:30 a.m. and doesn't end until 9:30 p.m., partly because the students hold a mock Congress and debate bills.

► The Congressional Youth Leadership Council brings 350 students through for an intense 11-day conference. Students visit embassies and the Supreme Court and meet with members of Congress.

► Presidential Classroom brings 400 students a week through to meet with political leaders, witness congressional hearings, and visit the Supreme Court, museums and monuments. Students take part in seminars led by Washington insiders and journalists.

► The Washington Workshops Foundation brings 75 to 100 students per week to meet with ambassadors, senators and other officials. Students form a model Congress, then write legislation and vote on it.

The programs usually cost students or their organizations \$1,000 to \$2,000, including airfare, all meals and transportation. Most programs have ways of helping students pay.

The Close Up Foundation gives fellowship funds to disadvantaged teens.

The Junior Statesmen Foundation has a fund-raising program to help students pay for the trip.

Presidential Classroom gives half-tuition scholarships to students with good academic records and a need for financial assistance.

Students who have been through such programs say they are worth the price.

"It made me fall in love with politics even more," says Junior Statesmen Foundation member Chris Davis, 17, of Chicago.

"We take the best students into the program, with a passion and interest in government,"

Junior Statesmen Foundation executive director Richard Prosser says. "We want politically active students who will participate all throughout high school."

Students say they leave the program with a goal of getting their peers involved in the political process.

Many Junior Statesmen members start Junior State of America clubs once the school year begins.

Junior Statesmen participant Carla Small, 17, of Melbourne, Fla., started the club at her high school after going through the program. Although many of her classmates were wary at first, they soon accepted it.

"The program is really new to the Florida area, so it was really hard for people to get used to it," Small says. "But this program has been one of the greatest experiences of my life."

The students who come reflect a range of abilities. Cindy McConnell, a spokeswoman for the Close Up Foundation, says the program encourages teachers to motivate even C and D students to get involved, as well as kids without much money.

Many of these groups' alumni have attained their political goals. Presidential Classroom executive director Jay Wickliff says some of his group's participants have gone on to become members of Congress (Sen. Robert Torricelli, D-N.J., and Rep. Chet Edwards, D-Texas) or actors. Actress Angela Bassett, a Presidential Classroom alumna, credits the program with giving her the confidence to act, Wickliff says.

The Washington Workshops Foundation's director of the congressional seminar, Tom Burkley, says there is a continued intensity of interest every year. Burkley credits a heightened popularity to parents driven to find opportunities — and career possibilities — for their children.

The civic education groups see students taking away a heightened sense of purpose, confidence and interest in the political process.

"Students are on an exploration," Burkley says. "And we're a part of that exploration."

NATIONLINE

Guards suspended after inmate's suspicious death

Florida officials suspended nine prison guards at the Florida State Prison on Monday pending investigation of the "suspicious" death of death row inmate Frank Valdez.

Valdez, 36, died Saturday, but no details were released.

He was sentenced to die for killing a Palm Beach County prison guard during a failed attempt to free a friend from prison in 1987. The guard, Fred Griffiths, 40, was shot three times in the head at point-blank range after refusing to give Valdez and an accomplice the keys to a prison van.

Gov. Jeb Bush said he was "concerned about the circumstances surrounding the death" of Valdez, but expressed confidence that prison officials and the Florida Department of Law Enforcement will conduct a thorough investigation.

3rd man to walk on moon buried



By William Philpott, Reuters

In Virginia: A military honor guard carries the casket of former Apollo astronaut Charles "Pete" Conrad Jr. during burial services at Arlington National Cemetery. Conrad, who on Nov. 19, 1969, became the third person to walk on the moon, died in a motorcycle crash in Ojai, Calif., on July 8. He was 69.

CHICAGO POLICE: Rep. Danny Davis, D-Ill., and civil rights leaders asked federal authorities to investigate the Chicago Police Department and the Cook County State Attorney's office, saying they failed to look into police brutality claims. Davis and activists say police and Cook County State Attorney Richard Devine refuse to discipline or prosecute officers who worked under Jon Burge, a commander fired in 1993 after investigators discovered that officers under his command were physically abusive of suspects. Davis said he also wants to know why Devine's office hasn't reopened cases that involved Burge, including 10 in which death row inmates say their confessions were illegally coerced. Federal officials said the request is being reviewed.

DATE RAPE DRUG: A suburban New Orleans woman remained jailed on \$100,000 bond after three 14-year-old girls were sickened from a liquid containing the "date rape" drug at a party at her house, officials said. Emergency workers called in Metairie found the three girls on the driveway Saturday night, unconscious and bleeding from the nose. One of the teens was in serious condition, one was stable and one was treated and released, officials said. Lois Krause, 51, was held on charges of aggravated battery. Her 16-year-old son, also charged with aggravated battery, was released to a relative. He told authorities he bought the drink Invigorite, containing gamma hydroxybutyrate, at a health food store. The youths were drinking it in the belief they would get drunk without the smell of alcohol, he reportedly told police.

TEXAS TOWER: The University of Texas will dedicate a spot in the heart of campus as the "Tower Garden" in recognition of those who died in and others affected by Charles Whitman's shooting rampage in 1966. The Tower Garden, planned for a tree-covered, grassy site just north of the Tower, will be dedicated on Aug. 1 — the anniversary of Whitman's murderous shooting spree from the UT Tower. Fourteen people were gunned down before he was killed. Families and friends of the victims are invited to attend the flag ceremony and the public dedication event.

ALSO MONDAY...

► **PLANT EXPLOSION:** A small explosion at the Rouge Steel plant in Dearborn, Mich., injured one worker and destroyed the roof of an abandoned garage, police said. An explosion at the same complex in February killed six Ford Motor's employees and seriously injured 14 others.

► **MAYOR WEBB:** Wellington Webb began his third and, because of term limits, final term as Denver's mayor. He vowed to continue "building a city that is rich in opportunity for all."

► **MONKEYING AROUND:** Rosie, a 25-year-old western lowland gorilla, is due to give birth to her eighth baby at the Cincinnati Zoo in November, officials said. The baby would be the 47th gorilla born at the zoo and would help it keep its title as the gorilla birthing capital of America.



By Eric Rieberg, AP

In San Francisco: California Gov. Gray Davis shakes hands with police officers after signing an assault weapons bill.

Calif. gets tough on assault weapons

California Gov. Gray Davis signed what experts called the toughest assault weapon ban in the nation, along with another bill limiting gun purchases to one a month.

The assault weapons law bans "copycat" weapons that closely resemble those already illegal under a 1989 assault weapons ban. The new law spells out the physical characteristics of banned weapons. Supporters of the ban say gunmakers got around the 1989 ban by simply changing the names of or slightly altering high-powered firearms. For example, the TEC-9 has been illegal but the TEC-DC9 was legal until today in California. The TEC-DC9 was one of the guns used in the massacre in Littleton, Colo.

The National Rifle Association's supporters have downplayed the bill, saying the guns it covers could simply have parts removed to make them legal. "If you want to stop these killings," Assemblyman George House, R-Hughson, said last week after the bill passed the Legislature, "put more morality back in the public school curriculum, put more morality back into the teachings in the home."

Written by John Bacon with staff and wire reports

Clinton Plan to Seek Out Those Eligible for Food Stamps

By ROBERT PEAR

WASHINGTON, July 13 — Alarmed at a precipitous drop in the food stamp rolls, President Clinton on Wednesday will announce a major national effort to sign up people who are eligible for such aid.

The number of people receiving food stamps has dropped more than 35 percent in five years, to 18.1 million this spring, from a peak of nearly 28 million in March 1994.

Millions of people leaving the welfare rolls have also lost food stamps. Even though they are still eligible for the coupons, stringent rules limiting eligibility for cash assistance appear to have discouraged many people from seeking food stamps, Federal officials said.

An Agriculture Department official said Mr. Clinton would announce a "national education and information campaign to reach out to potential food stamp recipients" and help them apply for benefits.

A 1996 law gave states vast discretion to design and operate their cash welfare programs with lump sums of Federal money. State and local offi-

cials, including New York City's welfare commissioner, Jason A. Turner, have complained bitterly that they do not have similar flexibility and freedom to run their food stamp programs.

On Wednesday, Administration officials said, Mr. Clinton will announce several steps intended to increase access to food stamps for the

A national effort after a steep decline in beneficiaries.

working poor, while giving states new discretion.

Under current law, states are subject to financial penalties if they give food stamps to someone who is later found to be ineligible. But if a state improperly denies food stamps, the state is generally not penalized. Therefore, state officials say, in close

cases, they have a financial incentive to reject food stamp applications or terminate benefits for people already receiving aid.

Administration officials said they would offer several options to states, including these:

¶States could relax existing requirements for food stamp recipients to report an increase in the number of hours they work, provided they are still working part-time for the same employer at the same hourly wage.

¶Households would not have to inform the authorities of a change in income unless the change exceeded \$100 a month. (The threshold is now \$25.) Under this option, a household with earnings of \$500 a month would not have to notify state officials unless its monthly income rose above \$600 or fell below \$400.

¶People receiving food stamps could file regular reports on their income every three months. Under current rules, they are supposed to report any significant change in income, but the requirements are so complex that many people fail to comply.

¶If every member of a household is receiving cash assistance or other benefits financed by the new Federal program of Temporary Assistance for Needy Families, the household would be automatically eligible for food stamps. The household would be able to get such food aid even if it had an automobile worth more than the current limit of \$4,700.

Mr. Clinton's new initiative will reduce the risk of states' suffering financial penalties when they provide food stamps to the working poor, Administration officials said.

States could, for example, liberalize requirements for food stamp recipients to report changes in household income. This would simplify life for state officials and for the working poor, whose household income, on which food stamp allotments are based, often fluctuates.

A parent who leaves welfare and finds a job typically works 34 hours a week and earns about \$6.50 an hour. A family of three with such earnings would be eligible for food stamps worth almost \$150 a month, or nearly \$1,800 a year, assuming it had moderate housing costs.

The New York Times

WEDNESDAY, JULY 14, 1999

Other cities have turned down plans to widen highways and are rejecting designs for new ones.

Like Utah, Maryland is expected to grow by a million people over the next generation. But that state will no longer finance roads, sewers and other developments that help to expand urban areas into open land.

These limits on growth have their own critics. Some people are denied the American dream of owning their home, these critics say, when restrictions are placed on new highways to the edge of suburbia, where land and housing are cheaper.

"You have some very well-meaning people whose idea of future homes are a bunch of apartment complexes stacked up next to light rail depots," Governor Leavitt said.

The Highway

Solution or Problem For Congestion?

Among mayors, traffic engineers and other people who are passionate about urban design's influence on people, there is a vigorous debate over whether building highways causes people to drive more, adding to congestion rather than reducing it.

The arguments boil down to this: When a new road is built, people take trips that they might otherwise not have taken. New homes, businesses and stores brought on by the highway will appear, and it will soon be clogged. But if the crowded highway is removed, or not widened, people will find other ways to get around, taking public transit, side roads, walking or biking — anything to save time.

Recent studies in England and California support the theory that new roads add to overall driving time, concluding that every 10 percent increase in highway capacity produces at least a 5 percent net increase in driving time.

Supporters of this theory point to San Francisco, where the Embarcadero Freeway along the waterfront, damaged in the 1989 earthquake, was removed; or Portland, Ore., where a six-lane highway was torn down and replaced with a downtown park, or New York, where the West Side Highway was closed after a collapse. In all three cases, traffic in the area of the highway fell when it was taken out of use.

"We have all this experience over the last 20 years, from Los Angeles to Atlanta to Phoenix, that shows that building and widening freeways do not solve our traffic problems," said Keith Bartholomew, a professor at the Wallace Stegner Center for Land, Resources and the Environment at the University of Utah, "and yet here we are in Utah saying somehow this time it has to work."

If the new highway will not reduce traffic, why build it? Governor Leavitt says he has no choice: the millions of new people in Utah will have to get around somehow, and the overwhelming majority of people — as much as 97 percent, according to some surveys — will not use mass transit.

Even cities that have embraced rail transit have not noticeably reduced traffic congestion. Americans prefer their cars.

Still, others wonder whether there is a way to accommodate people's preference for the automobile without encouraging a runaway

metropolis. A city left to true market forces, not shaped by Government subsidies for either highways or railways, might take an entirely different shape.

Mr. Tully, the Salt Lake developer, says current trends indicate that 70 percent of new housing in the region is likely to be outside the Salt Lake City limits. If the Legacy Highway were not built, he said, it would be closer to 50 percent, because many developers would look at building housing in underused sections of the city. But perhaps the biggest factor driving the housing market is the new freeway, most of which will be underwritten by the Federal Government.

"I would love to have lunch in Paris every day," said Roy Kientz, executive director of the Surface Transportation Policy Project, a nonprofit study group in Washington. "But I'm not asking the Government to buy me a ticket on the Concorde."

Milwaukee's Response

Rejecting Subsidies, Saving Neighborhoods

In Milwaukee, Mayor Norquist has spent more than a decade trying to keep the Federal Government from influencing the place known as Brew City U.S.A. Unlike most Democrats, Mr. Norquist opposes Federal money for housing, highways, education and welfare. The money is virtually free, so cities take it. But they do so at their peril, he argues in his book, "The Wealth of Cities," published last year by Addison-Wesley.

Cities like Detroit, St. Louis and Cleveland lost people and neighborhoods to interstate highways, Mr. Norquist says. In Milwaukee, which is surrounded by highways going every direction, the black section of the city and the old Italian neighborhoods were wiped out by highway construction in the 1960's, he says. Shopping centers and a sizable part of the metropolitan area's people followed the highways west, north and south.

"All this sprawl was subsidized," said Mr. Norquist, sitting in his office in the 105-year-old City Hall, a Flemish Renaissance building topped by a clock tower 400 feet above the sidewalk. "Sprawl is the direct result of accommodating the automobile."

Other urban experts say suburban development is the price for creating the world's first mass middle class. The highway follows public sentiment, they argue.

"You're saying people can go out and have a quarter-acre, half-acre, an acre, build their own house, maybe put a little swimming pool in it, all the things they want, and we call it bad, nasty sprawl," Ben Wattenberg, a senior fellow at the American Enterprise Institute, has written. "Why don't we call it great?"

Mr. Norquist says he is not against all highways, just those that slice up cities. He points to Canada, where its central Government does not pay for urban highways, and cities like Vancouver and Toronto have responded with a mix of transportation systems that preserve their neighborhoods.

Nor is he against the suburbs, where nearly half of Americans now live. But as a big-city mayor, trying to enliven parts of central Milwaukee that once pulsed with commerce and housing, Mr. Norquist has a natural bias.

A final link in the long-term highway plan for Milwaukee called for the Park East Freeway to cut across the northern edge of downtown, across the Milwaukee River to Lake Michigan. While the part that was built is still in use, neighborhood opposition killed construction of the second half, and now the Mayor has obtained money to tear down the part that was built.

The Mayor views what has happened since the highway was halted as a sort of laboratory for his theory that cities will develop naturally without Federal highway subsidies. At the point where the highway was brought to a standstill, a cluster of new housing has arisen, in a neighborhood that includes John Ernst Cafe, Milwaukee's oldest German restaurant. Children ride bikes with cards pinned to the wheels for motorized effect, the elderly play chess in a new pocket park and people carry groceries home from a supermarket at the center of East Pointe Commons housing development.

It is the kind of neighborhood favored by the so-called New Urbanists, a group of architects, planners and others who advocate more compact development. The neighborhood is not for everybody, says Mayor Norquist, but by stopping the highway the city has allowed people to make a choice. There is no subsidy either way.

As the highways carried people away from the city, the new suburbs have tended to zone out the kind of things that make a neighborhood interesting, Mr. Norquist said, echoing the sentiments of Mr. Tully in Utah. Mr. Norquist points to cozy old streets in Milwaukee, where people live in apartments that are directly above storefronts, and walk to schools and businesses.

"This used to be Main Street, U.S.A.," he said. "It's now a code violation all over America."

College athletics' Title IX law is not a quota system

This letter is in response to the column on Title IX, which guarantees equal opportunity for women in college athletics, by the representative of the Center for Individual Rights ("Title IX's dark side: Sports gender quotas," The Forum, July 12).

Title IX is not a quota system, and the organization's distorted arguments cannot make it one. Nothing in Title IX requires the cutting of men's sports, and schools have viable alternatives for providing equal opportunity in athletics.

The center asserts that the "proportionality rule" is a "quota-based interpretation of Title IX now used to measure compliance." Wrong.

Schools are not required to show compliance by using this method, and fewer than one-third of colleges and universities re-

viewed by the U.S. Education Department's Office for Civil Rights, responsible for enforcing Title IX, have chosen to use the substantial proportionality option.

Instead, the majority complied by showing a history and continuing practice of expanding opportunities for the underrepresented sex, or by ensuring that the interests and abilities of the underrepresented sex are fully met.

In other words, if the underrepresentation of women is due to lack of interest, not discrimination, a school does not have to create additional opportunities for women. Thus, under either of these two options, a college or university can comply with Title IX even if men receive significantly more athletic opportunities than women.

The center's unsupported notion that Ti-

tle IX assumes identical interests for men and women or requires identical programs for the sexes is simply wrong as a matter of law and as a matter of fact.

Since its passage in 1972, Title IX has had a profound effect on removing barriers to educational opportunities on our college campuses.

It is a shame that when the rest of America is celebrating our Women's Soccer World Cup championship — a direct result of Title IX — the Center for Individual Rights used the victory as an opportunity to distort and demonize the law that has brought so many benefits.

Norma V. Cantu
Assistant secretary for Civil Rights
U.S. Department of Education
Washington, D.C.

Equalize school funds

USA TODAY was absolutely right in its assertion that approval of the Republican elementary education bill would result in a wider funding gap for America's schools ("Education's racial gap widens," Our View, Improving schools debate, Tuesday).

I have introduced the Equal Protection School Finance Act to address these issues. It seeks to level the funding disparities within a state, so all children can have equal access to a good education.

It is time we stopped widening the gap between the have and have-nots and began letting all our children take off from the same starting line.

If money makes a difference in education, we should equalize it. But if it does not make a difference, then we also should equalize it.

What would be the harm in giving all our children the opportunity to become future leaders and innovators and scientists and teachers?

Rep. Chaka Fattah, D-Pa.
Washington, D.C.

Need a leader, not money

I disagree with the statement in USA TODAY's editorial Tuesday that reducing the racial achievement gap is the nation's most important education goal.

Indeed, there is a danger that this is exactly the direction in which our public schools are headed. This is the real problem of education. The nation's most important goal in education is to reverse this trend.

One way to reverse the trend to reduce the racial achievement gap is to set expectations for higher achievement among all students and all teachers in public schools.

This does not necessarily require large amounts of federal money. It will require some leadership from someone.

James L. Kurtz
Idaho Falls, Idaho

Black athletes graduate

I am doing academic research on the graduation rates of athletes and other undergraduates at Division I schools. One cannot deny — nor can my research disprove — that, at certain schools, the pressures to succeed and make progress toward a professional career negatively affect the graduation rates of athletes, especially black male athletes ("NCAA drops education ball," Our View, Standards for college athletes, Monday).

But on average, the story is much different. Using the graduation rates of the four freshman classes from 1988-91 provided in the NCAA's 1998 Graduation-Rate Report, here are some facts to consider:

► First, the graduation rate of athletes in this sample is 57.96% compared with 54.32% for all other undergraduates.

► Second, though black male athletes have the lowest graduation rate of any gender/ethnicity group (43.20%), it is higher than all other black male undergraduates (37.11%), and in percentage terms, this is the largest disparity between athletes and undergraduates for any gender/ethnicity group.

These facts may seem contrary to the "dumb jock" label many athletes receive.

But these results are not surprising when you consider that athletes face institutional controls and pressures on their academic performance that other students just do not face: the penalty of athletic ineligibility for poor academic performance, mandated study halls and specialized academic advising.

Patrick James Rishe
Economics professor
Webster University
St. Louis, Mo.



By Eric Hebert AP

Safety: Chuck Suma, president and CEO of New Piper Aircraft, with Margaret Napolitan, also of Piper, addresses media in front of plane similar to John Kennedy Jr.'s.

We can't legislate pilot's good judgment

When a larger-than-life celebrity is lost, we are anxious to understand why. So, what are we to learn from this tragedy? Unfortunately, not much. This scenario is not new — only the celebrity of the pilot makes it special ("Graveyard 'spiral' likely claimed Kennedy," News, Wednesday).

We can't legislate against poor judgment, and we need to be careful not to contrive a bunch of unlikely causes in our zeal to protect the memory of an icon.

It is very unlikely that the aircraft had a problem. John F. Kennedy Jr.'s training was probably excellent.

The visual flight rules (VFR) under which he was operating have been in place for years and have worked well.

The bottom line is that an individual pilot made some very poor decisions, although there is evidence he himself had reservations.

Flying can be beautiful, utilitarian or exhilarating. And it can be very safe — if and only if:

- the aircraft and its equipment are well maintained;
- the aircraft and equipment are suitable for the task at hand;
- the pilot has the knowledge and experience required to complete the flight safely;
- the pilot has the good judgment to understand his personal limitations and always operates within them.

If there is doubt about any of the above, stay on the ground.

There will probably be a lot of clamor for new regulations. We feel that we should try to do something to make the loss of three young lives have meaning.

I hope we resist that temptation and accept this tragedy for what it was: A new pilot exercised poor judgment and paid the price aviators have been paying since Kitty Hawk.

As a certified flight instructor for single- and multi-engine airplanes, I will be thinking of ways I can better communicate the potential dangers of inexperience. There are no "bad guys" here. And no easy answers.

Duane Crofts
Creve Coeur, Mo.

Soldiers' deaths ignored

This is a discussion of the value of life. To be sure, I am saddened by the news of the deaths of John F. Kennedy Jr., his wife and her sister. I do not, however, consider their deaths worth more than the deaths of others, such as those who have died serving our country.

Tuesday's edition of USA TODAY featured no less than 16 separate articles or references concerning Kennedy and the people around him.

Sixteen articles spanning three of the newspaper's four sections. Yet, I found only a four-sentence story on an inside page reporting the deaths of American servicemen in Kosovo.

My fellow servicemen died half a world away, in a tragic accident while defending someone else's freedom. This ratio of coverage disturbs me.

Are we as a nation really going to say that the death of a celebrity is more important than that of a soldier performing his sworn duty? No wonder it is acceptable to reduce the manpower, equipment and funding for the military, whose members are asked to put themselves in harm's way again and again.

Apparently, they don't count. They're just soldiers.

Sgt. Daniel T. Foster
Fort Huachuca, Ariz.

Hold the criticism and pray

Today we are mourning the loss of three young, bright and compassionate human beings.

My heart and prayers go out to the Kennedy and Bessette families. I have lost a sister and a mother, so I know firsthand their unbearable agony.

This is not a time to criticize and judge the decisions that were made. This is not a time for cynicism, jealousy and hypocrisy.

This is a time to pray for their families and ask God to give them the strength to endure such a terrible loss.

Thank you, John, for the ray of hope you instilled in us.

Helen Duda
Hobart, Ind.

To comment . . .

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Kennedy 'curse' entices secure, prospering America

By Michael Medved

The sad loss of John F. Kennedy Jr. has revived and greatly intensified public discussion of the mysterious "Kennedy curse" — a supernatural topic that fits perfectly with the pop cultural obsessions of this American moment.

In every corner of the country, citizens in all walks of life agonize over the cruel fate that has befallen so many members of this privileged and popular family. There seems to be an unspoken assumption of some Faustian bargain — as if old Joe Kennedy some 60 years ago made a tough deal with some darker power. His children and grandchildren would enjoy dazzling good looks, high intelligence, beautiful consorts, public adoration and all the opportunities wealth could provide, but they would pay for these blessings with premature death and considerable heartache.

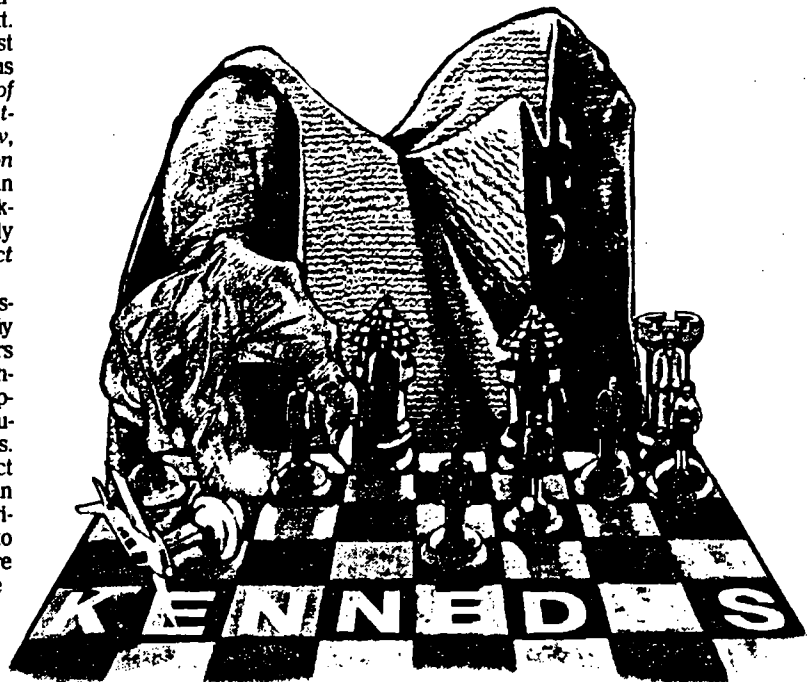
The idea of a devilish deal haunting several generations and involving sex, political power, money and physical danger sounds eerily like a plot from one of the dozens of supernatural thrillers Hollywood will unleash on us in the next few months.

Arnold Schwarzenegger, a JFK Jr. relative by marriage, stars in the forthcoming *End of Days*, in which he tries to stop Satan from taking a human bride. In Roman Polanski's

Ninth Gate, Johnny Depp investigates an ancient and accursed text. In *Lost Souls*, Winona Ryder must stop the Antichrist, while hideous ghosts afflict Kevin Bacon in *Stir of Echoes*, Liam Neeson in *The Haunting*, Depp (again) in *Sleepy Hollow*, Geoffrey Rush in *The House on Haunted Hill*, and Bruce Willis in *The Sixth Sense*. In the same week-end Kennedy died, the genuinely chilling *The Blair Witch Project* opened nationwide.

Of course, some of the current fascination with doom and devilry may be associated with millennium jitters — the inevitable focus on dire prophecies and spiritual warfare as we approach, for the first time in 10 centuries, a calendar year with three zeros.

Beyond the psychological impact of that looming milestone, we live in a nation and an era of unusual security and prosperity, and so must turn to perceived spiritual threats to give dramatic context to our lives. The Cold War has been won and can no longer provide us with a sense of personal participation in an epic struggle between good and evil. Crime, pollution and unemployment have all declined sharply, and our latest foreign war produced not even one American battlefield casualty. With little menace in our reality, we seek out gigantic, otherworldly, inexplicable dangers in our entertainment and fantasies.



By Web Bryant, USA TODAY

It is in that same spirit that we eagerly embrace the death of JFK Jr., longing to invest a minor aviation accident with a sense of doomed grandeur. We unavoidably connect this new horror with images of a boy sa-

luting his father's casket. That earlier death bent the course of U.S. history and changed all of our lives; this one won't even impact the readers of *George* magazine, reported even before its editor's death as likely to

cease publication.

Despite these obvious distinctions, the need to view the latest Kennedy loss in the context of some profoundly powerful inter-generation curse resembles the irrational need to hold some vast conspiracy ultimately responsible for the death of President Kennedy. Despite all of the evidence of Lee Harvey Oswald's guilt, we remain profoundly uncomfortable with the idea that our gallant young chief executive could be killed in such a meaningless manner by a lone nut.

By the same token, we reject the notion of the spectacularly handsome and charming John Jr. going down in the ocean as the victim of a mundane mishap, probably pilot error; we prefer to view him as the romantic victim of an implacable curse.

Never mind that the whole story of the "Kennedy curse" has been hyped and distorted beyond all reason. Yes, Joe Jr. died in World War II — but so did 400,000 other young Americans. And if he fell victim to a bleak family fate, then why did that same force spare Jack from his dangers on PT-109?

First Kathleen, the president's sister, and now John Jr. died in plane crashes — but what about Teddy, who miraculously survived both a

plane crash and a deadly auto accident? Did Ted enjoy supernatural protection, if the others suffered from supernatural doom?

Yes, the Kennedy family has suffered its shares of miscarriages, strokes and cancer, but what large American family over the course of 60 years has altogether escaped such health problems? The assassinations of the two most prominent family members may stand as unique, but the untimely deaths of two of Bobby's children — from a drug overdose and horseplay on the ski slopes — owe more to reckless behavior (the real family curse) than a diabolical destiny.

Nostalgia for Camelot, a sense of millennial dread and our desire to see some higher meaning in disturbing events have come together to make this accident seem grander and far more significant than it actually is. Yet as the emotion begins to wear off, perhaps we'll be able to escape the curse of strained overreaction and begin to place the true story in a more mature, less movie-mad, perspective.

Film critic Michael Medved hosts a daily national talk radio show and is on USA TODAY's board of contributors. He worked for Robert Kennedy's presidential campaign and was at the Ambassador Hotel when Kennedy was assassinated.

Teachers union says increased pay will solve shortage

Inferior salaries drive away graduates

By Matthew A. Rarey
THE WASHINGTON TIMES

Salaries must be raised to reverse a teacher shortage in public schools, says a report released today by the American Federation of Teachers (AFT).

While a booming economy offers college graduates more lucrative jobs outside of education, the current teacher population is largely middle-aged. The Department of Education estimates that 2 million teachers must be hired over the next decade to replace retirees.

"To attract college graduates to teaching, salaries must keep pace with other professions that are luring people away from the classroom," said AFT President Sandra Feldman. "Teaching is enormously gratifying, and many more would make it their career choice if they felt they were treated like professionals."

According to the AFT report, teacher shortages are primarily due to inferior salaries and increasing enrollments from the so-called "baby boomlet." The report is based on data from the Education Department and a survey of public school teachers nationwide.

"Salaries have not gone up that much," said Janet Bass, a spokeswoman for the AFT. "They don't even keep up with inflation."

The average teacher salary in 1997-98 was \$39,347, a 2.4 percent increase over the previous period. For a beginning teacher, the average salary of \$25,735 for 1997-98 marked a 2.9 percent increase, according to the Education Department.

By contrast, the 1998 average annual salary for other white-collar jobs was much higher. For example, engineers earned about \$64,489; lawyers, \$71,530; and computer systems analysts, \$63,072.

The AFT report also ranked

states by average teacher salaries. Connecticut (\$51,727) led the pack, New Jersey (\$50,284) came in second and New York (\$48,712) was third. South Dakota (\$27,839), North Dakota (\$28,231) and Mississippi (\$28,691) ranked at the bottom.

The District (\$44,746) came in seventh; Virginia (\$37,024) ranked 23rd; and Maryland (\$41,404) was 14th.

"There's no overall shortage in teachers," said Janelle Toman, policy administrator for the South Dakota Department of Education. "But we do note shortages in specific areas, for example special education and music."

Of the 200 largest school districts in the nation interviewed for the AFT study, most reported shortages in math, special education and bilingual education teachers.

The AFT study did not draw a correlation between teacher salaries, educational spending and student performance. Nor did it note differences in cost-of-living by state.

To lure college graduates who agree to teach for four years, Massachusetts began offering \$20,000 signing bonuses this year.

Maine, with an average teacher salary of \$34,349, is also considering offering incentives to attract more teachers.

"Some districts in southern Maine want to follow Massachusetts's lead," said Yellow Light Breene, a spokesman for the Maine's commissioner of education.

"In the next several years, we'll be seeing an increasing trend in the number of teachers retiring. We may have to begin looking at creative options to alleviate this. But for now, our teacher shortages are mainly in math and science," he said.

Governors stay connected with constituents by e-mail

TALLAHASSEE, Fla. (AP) — On a plane, in a car, at the office, Gov. Jeb Bush can often be found typing away at his laptop answering e-mail.

He's not alone. Governors around the country say they are turning to cyberspace to stay in touch.

Mr. Bush says he gets 100 e-mails a day — from constituents,

lawmakers and journalists — and responds to most of them personally.

Gov. Jesse Ventura of Minnesota gets about 120 e-mails a day, and staff members print out hard copy summaries for him, said spokeswoman Samantha Massaglia.

Arkansas Gov. Mike Huckabee, hooks up every day to read his e-mail, even when he's on vacation.

Embassy Row

Iranian diplomacy

Middle East Insight magazine practiced a little people-to-people diplomacy when it hosted a private forum with six Iranian journalists that attracted a member of Congress and a former U.S. diplomat held hostage in Iran.

The visitors are not journalists in the Western sense, said one of the participants, who called them "state journalists." However, he added, the exchange last week was worthwhile.

Rep. Bob Ney, who once taught English in Iran, spoke to the journalists in Persian, telling them that the United States and Iran need to establish more such unofficial meetings.

"We need to agree simply to talk," the Ohio Republican said.

Mr. Ney said he has changed his opinion on Iran since Mohammed Khatami was elected president two years ago and promised to pursue more moderate policies. Critics, however, say little has changed under Mr. Khatami.

"I was a hard-liner on [Iran] for 20 years," he said.

Mr. Ney said President Clinton needs allies in Congress who will support him in overtures to Iran. The congressman said he is prepared to talk to anyone without preconditions.

Mr. Ney said he and the journalists agreed on the need to reduce the rhetoric used by each side.

"We need to stop talking about the 'rogue nation,' and they need to stop talking about the 'great Satan,'" he said.

"I told them it is not going to be an easy road, that there are people in Iran who will not like this and people here who will not like this. But I told them let's sit down over lunch. Let's do lunch."

At the meeting, Mr. Ney sat next to Bruce Laingen, the charge d'affaires who was a hostage at the Iranian Foreign Ministry when militants took over the U.S. Embassy in 1979 and held 52 Americans for 444 days.

Another participant at the off-the-record meeting, who asked not to be identified, said, "This is the first delegation of its kind to come to Washington since the fall of the Shah."

Middle East Insight has been breaking diplomatic ground around the edges of the U.S.-Iranian impasse. A year ago, it sponsored a lunch for the first Washington visit of Iran's ambassador to the United Nations, Hadi Najad Hosseinian. In March, it hosted a forum with Zahra Shojaie, an assistant to Mr. Khatami.

The Iranian delegation at last week's meeting included: Reza Tehrani, director of Kiyan magazine; Ahmad Borghani-Farahani, editor of Envoy magazine and a former deputy minister of culture; Rajab-Ali Mazroui, chairman of the Iranian journalists syndicate and international economics editor of the Salam newspaper; Addol-Ali Rezai, director general of the Center for Media Studies; Hossein Ghaziyan, an editorial board member of the Rah-e Now newspaper; and Shahab Farrokhyar, editor of net-riba.com, an Internet site.

Reprimand on Cyprus

Two angry Cypriot politicians believe the U.S. ambassador will face a reprimand today from Cyprus' president, Glafcos Clerides.

However, the president's spokesman refused to say what Mr. Clerides will do over accusations that Ambassador Kenneth Brill somehow interfered in Cypriot affairs by defending the U.S. bombing in Yugoslavia.

House Speaker Spiros Kyprianou and Communist Party leader Demetris Christofias complained that Mr. Brill had sent them letters, warning that the United States might "re-evaluate" its commitment to the reunification of the Greek and Turkish sides of the island.

The U.S. Embassy dismissed their complaints.

"There is no truth to this speculation," an embassy spokesman told reporters.

"These private communications dealt solely with the situation in the Federal Republic of Yugoslavia. There was absolutely no reference in either letter to U.S. diplomatic efforts related to Cyprus."

Tourism in war zone

The Bulgarian Embassy says its country's economy was crippled by the war in neighboring Yugoslavia, but tourists kept flocking to its Black Sea beaches.

"The tourism industry, which was expected to decline given Bulgaria's proximity to the war zone, has flourished so far this spring," the embassy said in a report.

"The number of vacationers visiting the Black Sea resorts is up by 23 percent from the previous year," it said.

• To contact Embassy Row, call 202/636-3297, fax 202/832-7278 or e-mail morris@twtdmail.com.

Florida Gives Kids An Alternative To Failing Schools

By JEB BUSH

Today Florida will take a giant stride forward in ensuring that schools serve children and their families when I sign into law the Bush/Brogan A+ Plan for Education. The plan puts the educational needs of every student above the bureaucratic needs of the system. Here's what it does:

- *Assesses student learning.* For the first time, Florida students in grades three through 10 will be tested annually on their progress. Each student's test results will be sent home to his parents.

- *Raises standards by ending "social promotion."* No longer will students advance to the next grade without mastering the skills of their grade level. At the same time, the state is dramatically increasing its funding for remediation efforts.

- *Grades schools.* Florida will rank every public school on an A-to-F scale, based primarily on student learning. The grades will be sent home to parents and posted on the Internet.

- *Rewards educational success.* Schools that move up a grade and schools that receive an A will receive a bonus of \$100 per student.

- *Helps failing schools.* Schools that receive a D or F grade will receive state and local assistance to turn around quickly.

- *Provides an alternative for students in failing schools.* If a school receives an F for two years, all children in that school will receive an Opportunity Scholarship that will allow them to attend another school of their choice—public, private or parochial. This first-in-the-nation statewide accountability measure will ensure that kids are no longer trapped in chronically failing schools. In order to receive the scholarships, private schools will have to accept all students who apply, must meet health and safety standards, and accept the value of the scholarship as full tuition.

Defenders of the status quo have argued that Opportunity Scholarships will destroy the public education system. But early reports demonstrating quite the opposite. In Fort Lauderdale, the Broward County school superintendent is preparing for the A+ Plan by assigning experienced principals and assistant principals to serve as advisers to schools with lagging test scores. Broward County schools have also begun a pilot program to improve the skills of students who read far below grade level.

In Miami, two high schools have added more classes. Miami High will become the first school in Dade County to require all students to take eight 90-minute classes instead of six two-hour classes. And a representative of the Hillsborough County public schools told the Tampa Tribune that the school board is "working on a plan to help schools with marginal grades, so that none ends up failing."

Local school officials have been remarkably candid about the reason for their sudden interest in the plight of poor-performing students and schools. An associate superintendent told the Miami Herald: "No one wants to see their schools get on the list." In Gainesville, a school board member told her local paper that "I'm going to work very hard to make sure that none of the parents in Alachua County need a voucher."

This fall, children at two chronically failing elementary schools in Pensacola will be the first students to receive Opportunity Scholarships. Four of Pensacola's five Catholic elementary schools are ready to accept students. More than 100 parents recently attended an informational meeting regarding their new educational options. One mother's comments hauntingly captured the apathy of the present system: "I had three older children who went to Bibbs [Elementary School], and they're not doing exceptionally well. If this had been around years ago, maybe they wouldn't have fallen through the cracks."

Opportunity Scholarships arrived too late for this mother's three older children. But no other child should ever have to fall through the cracks.

Mr. Bush, a Republican, is governor of Florida.

THE WALL STREET JOURNAL

MONDAY, JUNE 21, 1999

Banning Ads Just Got Harder

A unanimous Supreme Court just invalidated a federal ban on radio and TV ads for casino gambling. In states where casino gambling is legal, the court ruled, it is an infringement of free speech to prohibit anyone from advertising it. If you can buy it, you can advertise it.

Although the court stated the holding in relatively narrow terms, the rationale of *Greater New Orleans Broadcasting Association Inc. v. U.S.* has dramatic implications for the regulation of alcohol and tobacco, two legal products that are even more controversial than gambling. In addition, the ruling highlights the difficulties of attempts to regulate media violence, a topic

Rule of Law

By Daniel E. Troy

that's on Congress's mind right now in the wake of Columbine.

The case was brought by broadcasters in Louisiana, where casino gambling is legal, who argued that the ban violated their free-speech rights. The government argued that the ban was legal because it protected a vulnerable population—compulsive gamblers; the lower court agreed.

When it comes to free speech, commercial speech, especially advertising, is usually the poor stepsister. Other kinds of speech—political, artistic, scientific—are all used to getting a higher level of constitutional protection. And so the principle underlying the court's decision in *Greater New Orleans* is an important one: The speaker and the audience, not the government, should be left to assess the value of accurate and nonmisleading information about lawful conduct.

The court recognized that the content of the proposed casino ads wasn't misleading and concerned lawful activities. The court

presumed that the casino ads would benefit consumers by disseminating accurate information as to the operation of market competitors—such as pay-out ratios—which can benefit listeners by informing their consumption choices and fostering price competition.

Why shouldn't the same rationale apply to tobacco? Tobacco is a lawful product similarly the subject of intense public debate, and consumers would presumably benefit from more information about facts such as tar and nicotine content. More to the point, the government's sole rationale for a ban on tobacco advertising is the concern that cigarettes aren't good for people. *Greater New Orleans* suggests that the sole reason ads may be restricted is to ensure that they aren't misleading.

Of course, tobacco may not lawfully be consumed by minors. But most states don't let minors gamble in casinos either. Moreover, the fact that minors can't consume alcohol didn't stop a unanimous court in 1996 from invalidating a Rhode Island ban on price advertising of alcoholic beverages.

This isn't to say that the current ban on the broadcast of cigarettes ads is about to go away, even if the rationale of *Greater New Orleans* says it should. Courts don't always follow the logic of their own decisions, and they are especially unprincipled when it comes to tobacco, thinking it unique. Moreover, tobacco manufacturers have just cut a deal with state attorneys general in which they agreed to forego advertising in many media. Nevertheless, paternalistic regulation of ads is in trouble.

Greater New Orleans may also cripple government attempts to restrict ads justified by the need to protect children. The court held that government restrictions on speech must be a last response—even when they are intended to benefit a vulnerable group. In the case of the casino

ads, it found that Congress had failed to consider many other forms of regulation that could address the problem of compulsive gambling. It could have prohibited gambling on credit, for example, or limited the use of cash machines on casino premises. Similarly, there are other forms of regulation the government could adopt that could more directly and effectively address underage tobacco and alcohol use, such as enforcing laws against underage access or depriving minors caught smoking or drinking of their driver's licenses.

Greater New Orleans will hamstring the impulse to restrict speech to protect chil-

When it comes to free speech, commercial speech, especially advertising, is usually the poor stepsister.

dren in another way as well: It requires the government to have a consistent and coherent policy before it tries to limit communication. The court said it was irrational to ban ads for private casino gambling at the same time that ads for Indian casinos were allowed. So any attempt by the FCC, for example, to ban ads for spirits but not for wine and beer (which FCC Chairman Bill Kennard has threatened to do) would likely be invalidated as plainly irrational, given that minors tend to drink wine and beer and that a bottle of beer contains no less alcohol than a shot of whiskey.

Greater New Orleans also illustrates the hurdles Congress faces in trying to solve social problems, such as youth violence, by restricting speech. First, the ruling doesn't bode well for the creation of a new category of communication—i.e. "violent obscenity"—that would be subject to

the lower First Amendment protection.

Although the Supreme Court has found that certain categories of speech about sex such as obscenity and indecency may be limited, it has never found a similar exception for speech with violent content except for speech that imminently threatens violence, such as an exhortation in a street demonstration to attack right away. There are many reasons for not creating such a new category including the lack of a tradition of restricting violent content, the ubiquitous nature of violence in art and literature, and the fact that any attempt by government to judge the context and appropriateness of violence would involve potentially arbitrary judgments frowned upon by the First Amendment.

Second, *Greater New Orleans* refers to a body of case law requiring the government to prove that its restriction will directly advance the stated interest. It's not at all clear that the government could prove to a court's satisfaction that restrictions on a limited class of violent content would, in fact, achieve the goal of reducing youth violence.

In *Greater New Orleans*, the Supreme Court didn't go as far as many (including this author) would have liked. It didn't commit to view restrictions on ads with the same skepticism that it uses in approaching limits on other types of speech. At this stage, only Justice Clarence Thomas has endorsed such an approach. For the second time in three years, however, the court has confirmed that government at all levels must tread warily in limiting any kind of truthful communication, especially where the state is asserting that it knows best.

Mr. Troy is a Washington lawyer and an associate scholar at the American Enterprise Institute. He submitted an amicus brief on behalf of the American Advertising Federation in Greater New Orleans Broadcasting Association Inc. v. U.S.

California scores termed inconclusive

By Andrea Billups
THE WASHINGTON TIMES

California's controversial law that banned most bilingual education programs at the state's public schools has not dramatically narrowed the learning gap between students who have limited English skills and those who are proficient in English, according to test scores released last week.

While limited-English students in some districts showed significant gains, average scores on state achievement tests increased only slightly for the those students in the first year after lawmakers passed Proposition 227. Immigrant students still scored far below pupils who speak English fluently, state education officials said.

"It's too early for anyone to celebrate or throw stones," said Delaine Eastin, the state superintendent of public instruction. "Our schools serve a population that is extremely diverse. Not surprisingly, these scores demonstrate that it is difficult for these students to do well in academic content areas until they are proficient in English."

Bilingual learning ban left no big impact

Harcourt Educational Measurement, the company that published the test results, was forced to re-score California's Stanford 9 achievement tests after releasing flawed reports on June 30. In a snafu that initially raised hopes around the state, the testing company mistakenly averaged the scores of those students who are English proficient with those who have limited English skills, inflating their scores dramatically. Limited English-proficient students make up about 25 percent of the 4.3 million students statewide who took the tests.

The revised test scores, released late last week, came as a letdown for some who had touted the initial round of strong marks as clear proof that bilingual education was detrimental to immigrant children. While there is cause for optimism in several school districts, it is too soon for critics of bilingual education to claim victory, some observers say.

In San Diego County's Ocean-side Independent School District,

where Proposition 227 founder Ron Unz touted the improved test scores — including some that were up by more than 400 percent — the picture still looks somewhat bright for the district's 5,500 limited-English students, most of whom come from nearby Mexico.

On the revised tests, the district's 10th-graders posted a 50 percent increase over last year, while second- and third-grade scores were up a dramatic 92 percent. Proposition 227 "did not hurt the kids, and in fact, it helped many learn more quickly," said Oceanside Superintendent Ken Noonan, a former bilingual educator who has enforced the English-only law to the letter.

After only one year, he warned, it's probably too soon to draw firm conclusions about the significance of the test scores in the wake of Proposition 227. The state has instituted a number of education reforms including a systematic and explicit phonics approach to teaching reading along with reducing class sizes in the first and second

grades, he said.

Like other states, including Virginia, California also has put in place a standards-based curriculum and yearly assessment program designed to put schools and students on notice that they must improve quickly, he said.

"I think all those things have contributed to the success of kids under 227, and we may have not had the success if we had not been doing these other things," he said. "It seems almost as if the timing was just right. My suspicion is that if we do this well, children will not have an English language deficit in three years."

Interpretation of the law has varied. Some larger school districts like San Francisco and Santa Ana have defied Proposition 227 and continue to hire bilingual educators, said Sheri Annis, a spokeswoman for English for the Children, the group that sponsored Proposition 227. Other schools are holding fast to native-language programs while at the same time teaching some classes only in English, creating a confusing environment for both students and teachers, she said.

Hubbell has chance to erase guilty plea

ASSOCIATED PRESS

Webster L. Hubbell is getting a shot at erasing his guilty plea to a misdemeanor tax charge as a result of an unusual wrinkle in his plea agreement with independent counsel Kenneth W. Starr.

Hubbell's guilty plea to that charge will remain in place only if Mr. Starr can persuade the Supreme Court to overturn an appeals court ruling that would make the case difficult to prove.

On Monday, Mr. Starr asked the high court to hear his appeal and give him a chance to preserve Hubbell's guilty plea. If the court denies review or rules against Mr. Starr, he has agreed to seek dismissal of Hubbell's June 30 plea to the tax charge.

However, Hubbell's guilty plea to a felony charge of concealing legal work on a fraudulent Arkansas land project would not be affected. Hubbell, the former No. 3 Justice Department official, was sentenced in June to a year's probation after entering the guilty pleas that wrapped up the Whitewater phase of Mr. Starr's work.

The tax charge said Hubbell evaded paying taxes on some of the hundreds of thousands of dollars he received from friends of President Clinton and Hillary Rodham Clinton in 1994 when he was under criminal investigation.

A federal appeals court ruled in January that Mr. Starr could prosecute Hubbell on the tax charge but set a high standard for use by prosecutors of Hubbell's own financial papers, which he was required to produce under a limited grant of immunity.

Hubbell had argued that using the papers to prosecute him would violate his privilege against self-incrimination.

The appeals court decision "essentially requires advance knowledge of the contents of a document as a prerequisite of a right to use the document's contents," Mr. Starr's appeal to the Supreme Court said. "That is a daunting standard that no prosecutor is ever likely to meet."

The plea agreement specified that Mr. Starr would take that issue to the nation's highest court. If the court denies review or does not rule in the independent counsel's favor, Mr. Starr agreed to seek dismissal of Hubbell's guilty plea on the tax charge.

The U.S. Circuit Court of Appeals for the District of Columbia said if Mr. Starr could not show that he had "reasonably particular knowledge" of Hubbell's financial records before they were subpoenaed, the prosecutor could not use information from them.

Mr. Starr argues that because Hubbell created the documents before they were subpoenaed, the contents could be used if prosecutors did not seek to show that he was required to turn them over.

The Justice Department had supported Mr. Starr's appeal to the D.C. Circuit court, saying the ruling was "likely to impose significant burdens" on the prosecution.

An attorney for Hubbell declined comment.

Yosemite suspect's confession leads to questioning of FBI

Doubts remain on whether naturalist's death was avoidable

EL PORTAL, Calif. (AP) — A motel handyman's confession to killing three sightseers in Yosemite National Park earlier this year is raising questions about why police let him slip through their hands.

Authorities refocused their attention on Cary Stayner last week after a park naturalist was beheaded.

FBI agents said as recently as last week that they believed most of those responsible for the sightseers' slayings were behind bars on other offenses.

The agents said they were presenting evidence to a grand jury against those they believed were the killers, a band of ex-convicts. Investigators said they were encouraged by a crime lab report and the incriminating statements of those suspects.

But they did not realize they were on the wrong path until they refocused their attention on Mr. Stayner, a motel worker with no apparent link to the ex-cons who was questioned and ruled out as a suspect in the February deaths of the sightseers.

After his arrest Saturday, Mr. Stayner confessed to the beheading of Yosemite naturalist Joie Ruth Armstrong, and then said he also killed all three sightseers in

February.

The admission left many wondering why the FBI initially ruled Mr. Stayner out as a suspect.

"We've just got to find out what happened," said Francis Carrington, whose daughter, Carole Sund, and granddaughter, Juli Sund, were killed along with a family friend.

The FBI declined comment yesterday on Mr. Stayner's confession. FBI task force spokesman Nick Rossi said many leads need to be pursued, and noted that Mr. Stayner faces charges only in the slaying of Miss Armstrong, 26.

Investigators believe Mr. Stayner may have acted alone, but have not ruled out accomplices, law enforcement sources said.

Even with Mr. Stayner vowing to plead guilty to all four killings, questions remain about how agents can make a case against him when they were so sure the earlier suspects were involved in the sightseers' deaths.

But the big question remains: Could Miss Armstrong's slaying have been prevented?

Mr. Stayner said voices in his head drove him to kill her.

The probe was difficult from the moment Mrs. Sund, 42, Juli, 15, and their Argentine friend, Silvina Pelosso, 16, vanished on Feb. 15

from the Cedar Lodge in El Portal.

After an insert to Mrs. Sund's wallet turned up on a Modesto street corner, it made sense to look there for her killer, and agents focused on the region's methamphetamine subculture.

Agents zeroed in on associates of Eugene Dykes and Michael Larwick, half-brothers with records of sex and drug offenses. They were arrested in police standoffs after the sightseers vanished but before the bodies were found.

An FBI crime lab report linked clothing fibers from the sightseers' slayings to a vehicle used by several members of the group. Potential suspects began pointing fingers at each other. Mr. Dykes eventually signed a statement admitting involvement in Mrs. Sund's murder — but then told the Associated Press that it was a lie.

Despite his concern, Mr. Carrington said he did not feel he should second-guess the FBI task force, which has spared few expenses over the last five months to solve the murders.

"I'm as disappointed as they are that we didn't get to him sooner. They missed him. They admitted that themselves. I think it frustrates the FBI more than anybody," Mr. Carrington said. "We just feel terrible about Joie."

ASSOCIATED PRESS

For the first time, scientists have created a cancerous human cell by genetically altering a normal one in the laboratory — a breakthrough that could speed the development of drugs that wipe out tumors.

Researchers know that cancer is caused by genes gone bad, and they have been trying to develop drugs that fix these flaws.

But up to now, they have been fumbling in the dark: They aren't sure exactly which combinations of flaws cause the many types of cancer, nor do they know precisely which drugs repair which faulty genes.

Now, with this latest breakthrough, they will be able to create

Genetic-flaw creation may fight tumors

specific genetic flaws in the lab and then try to find drugs that work.

Moreover, they can use this breakthrough to work backward and determine which flaws cause which types of cancer.

The research was led by Robert Weinberg of the Massachusetts Institute of Technology's Whitehead Institute for Biomedical Research. It was reported in today's issue of the science journal *Nature*.

"This provides a laboratory tool, and it's a significant one," said Curt Harris, chief of the National Can-

cer Institute's human carcinogenesis lab.

Moshe Yaniv, a cancer researcher at France's Pasteur Institute, called Mr. Weinberg's work a landmark paper.

"I think this is an important step. Understanding cancer is an important step," Mr. Yaniv said. "But we should not give people the impression that we're going to cure cancer next year."

Scientists have been able to turn normal human cells cancerous using chemicals and X-rays, but that is a scattershot approach. The

scientists have no idea exactly what kind of genetic flaws might result.

Mr. Weinberg's research is part of a relatively new approach to treating cancer that is more like a rifle than a shotgun. Scientists believe that attacking the underlying genetic flaws would not only be more effective but also would spare patients the side effects caused by today's chemotherapy drugs, which assault both cancerous cells and healthy ones.

About two dozen gene-targeting drugs are already in the testing

stage. Earlier research by Mr. Weinberg helped pave the way for Herceptin, a government-approved drug that targets the genetic flaws that cause breast cancer.

Genes are the blueprints that tell a cell when to divide and when to die. Often, when a gene goes bad, it triggers uncontrolled growth, but genes called tumor suppressors step in to stop it. It's when these tumor suppressors also turn bad that tumors develop.

Mr. Weinberg built his cancer cell by first inserting a gene-gone-

bad called ras that causes cells to grow incessantly. Then he disabled two tumor-suppressing proteins with another bad gene. Finally, he added a telomerase catalyst, which allows cells to continue dividing indefinitely.

Researchers can now look for drugs that would, for example, restore the tumor suppressors or intercept the telomerase catalyst.

"One can use this model now to identify in a rational way drugs that are targeted to those pathways," Mr. Harris said.

In creating this cancer cell, the researchers started with skin and kidney tissue, but they do not believe it is like any cancer that exists in humans.

Groups try again to end vouchers in Cleveland

By Andrea Billups
THE WASHINGTON TIMES

A month before schools open in Ohio, a coalition of teachers union and civil liberties groups is trying for the second time to halt a 3-year-old voucher program that provides private school tuition to Cleveland students.

The groups seek to stop the voucher program through a federal lawsuit challenging the Cleveland Scholarship Program, which was approved by the Ohio legislature in June. The groups include the National Education Association, the American Civil Liberties Union and Americans United for Separation of Church and State.

If granted, an injunction being sought would send some 4,000 low-income voucher students back to public schools this fall.

Clint Bolick, litigation director for the Institute of Justice, which is defending the program, says he

Injunction sought to derail city's 3-year-old program

is outraged by the timing of the injunction request.

"To wait this long would cause such a massive disruption," Mr. Bolick said.

Barry Lynn, director of Americans United, says he never assumed there would be a problem.

"It's still before the school year begins and I think it increases the chance that a judge would consider that appropriate."

Saundra Berry, the scholarship program's new director, is taking a wait-and-see approach to this latest of legal battles. She says her program is working and points to its long waiting list as proof.

"This office has been under siege from the beginning of its existence," she said. "I wonder who they are really thinking about — certainly not the children — when

they want to disrupt so many lives."

Parents are also caught up in the uncertainty.

"I have no faith in the Cleveland public schools," said Carol Congeni, who told the Cleveland Plain Dealer last week that she plans to use the voucher money to send her child to Metro Catholic Parish School. "Because it is a Catholic school, I think it gives children more morals, more values, and they are watched a lot more closely."

The Ohio Department of Education, which is named in the lawsuit, is also bracing for the possibility that the temporary injunction could be granted, spokeswoman Monica Zarichny said.

"These private schools are prepared to receive these children

and these parents are prepared as well and that is something that needs to be considered as we proceed," she said.

Cleveland Public Schools spokeswoman Patricia Martin said yesterday that the 77,000-student school district could absorb the voucher students quickly if the court did end the scholarship program. "We would have to hire more teachers," she said. "We will do whatever we have to do to get school off and running smoothly."

Critics of the Cleveland Scholarship Program, including the NEA, say the program has failed to raise achievement levels for poor students who attend private schools that are not regulated. The voucher program also takes money away from public schools that could use it to improve the quality

of education for all students, they say.

The lawsuit, filed in the U.S. District Court for the Northern Division of Ohio, contends the Cleveland voucher program violates the Constitution by giving taxpayer money to students to attend religious schools.

The Ohio Supreme Court viewed the constitutionality of vouchers differently. In what seemed like a victory for school-choice proponents, the court ruled in May that the Cleveland program did not violate the separation of church and state guarantees in the U.S. or Ohio constitutions, but it quickly struck down the program under a technicality in state law.

In late June, the scholarship program was revived by the legislature, which voted to expand it over a two-year period. That prompted the latest lawsuit,

Water and oil

Trying to keep their fingers in American affairs, Burke's Peerage has coated every U.S. president since George Washington.

And now the London-based company says it's prepared, even at this early stage of presidential campaigning, to present a new coat of arms to the next president of the United States.

Apparently having a handle on the outcome of the distant primaries, Burke's Peerage, by the hand of Peter Spurrier — "foremost artist of Heraldry in the United Kingdom" — has produced coats of arms for the two leading candidates: Republican George W. Bush and Democrat Al Gore.

You're certain one of these two men will be crowned?

"Either Vice President Gore or Governor Bush will be enobled in the American tradition in approximately 15 months," says Harold Brooks-Baker of Burke's Peerage.

How can you be so sure?

"Because for the first time in recent American history there is no major contender for the White House, in either political party, other than the front-runners," says the British coat maker.

What about Democrat Bill Bradley, who's raised almost as many crumpets as Mr. Gore.

"Burke's Peerage feels duty bound to produce the presidential coats of arms well in advance," he says. "These two coats of arms may be considered controversial, but they represent the true economic, social and political history of each candidate."

Mr. Brooks-Baker insists George Washington's coat of arms inspired the presidential seal, the personal flag of the chief executive, even the U.S. flag: "The stars and stripes came directly from the general's British coat of arms."

Mr. Gore will like his coat. While trailing Mr. Bush in the polls, the motto on the scroll beneath his shield reads: "Secundus

INSIDE THE BELTWAY

By John McCaslin



The coats of arms for the two men were designed by Burke's Peerage.

erit primus." Or, in Mr. Gore's language, "The second shall be first."

The tassels on Mr. Gore's mantling (which should have been stitched into William Jefferson Clinton's coat) allude to an Old Testament reading, in which the Lord says to Moses, "Make tassels on the corners of your garments and put a blue cord on each tassel. The tassels will serve as reminders that you will obey my Commandments."

And avid canoeist that he is, the lower part of Mr. Gore's shield is green, representing the natural vegetation of Tennessee, with the Mississippi River running through it.

As for Mr. Bush, he gets an oil rig on his vertical strip called a pale. And the motto on his scroll reads, "Filius prodigus nunc luceo." Translated, "The Prodigal son now shines."

Tips on Tip

We see where John A. Farrell is back on the beat as an investigative reporter at the Washington bureau of the Boston Globe. He took a two-year leave to write a biography on House Speaker Thomas P. "Tip" O'Neill Jr.

Mr. Farrell says he's wrapping up the book — scheduled to be published next year by the Little, Brown Co. — but is still in search of good anecdotes about the late speaker's days on Capitol Hill.

Here's three, Jack, that appeared in *Inside the Beltway*.

• The time Heather Strachan Foley, wife and unpaid chief of staff to Speaker of the House Thomas S. Foley, had the gall to ask then-Speaker O'Neill to put out his cigar during a meeting.

• Our "Made in Heaven" item, when Mr. O'Neill, shortly before he died, paid tribute to the Domi-

nican Sisters of St. John's School in North Cambridge, Mass. He told the Catholic Archdiocese of Boston that after his mother died when he was a boy, the nuns took care of all three O'Neill children.

His favorite was Sister Agatha.

"Sister Agatha was the one who put me next to Mildred Miller at those Friday afternoon dances," he said, "and now Millie and I have been married 52 years."

• And Mr. O'Neill's almost last words, "I'm hanging on until the Red Sox win the World Series, which with this team could mean I'm hanging around for a very long time."

Polysyllabic profundity

"I note your distress at my floccinaucinihilipilification of the CTBT," or so Sen. Jesse Helms, North Carolina Republican, wrote in a letter this week to the Democratic Caucus.

We ourselves were inundated with letters after writing about Mr. Helm's use of the word, which means the estimation of something that is valueless.

"So," writes Steve A. Brown of Alexandria, "Senator Helms does not like to keep it simple. Well, here is something for him: 'When promulgating your esoteric cogitations, or articulating your superficial sentimentalities, or amiable, philosophical or psychological observations, beware of platitudinous ponderosity. Let your conversational communications show lucidity and intelligibility without rodomontade, voracious vivacity or jejune bafflement. Sedulously avoid all polysyllabic profundity, pompous propensity or psittacistic vacuity, observable or apparent. Translation: Keep it simple.'"

Mr. Brown found the advice on page 99 of "1000 Most Important Words," by Norman Schur (Ballantine Books).

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Making the Teaching Profession Respectable Again

By Leon Botstein

ANNANDALE-ON-HUDSON, N.Y. **N**o amount of effort to improve the quality of our schools will succeed unless we end up with better teachers. Yet, despite glimmers of renewed interest among students at elite universities, the most gifted and talented college students are not choosing teaching as a career. Indeed, the level of interest reported in 1999 is well below that expressed in the 1970's, when teaching ranked far below medicine, law and business.

Before 1960, America could rely on sex discrimination, since teaching was perhaps the only profession genuinely open to women. The women who might have become teachers in generations past are today investment bankers, doctors and lawyers.

Furthermore, before World War II and particularly during the Depression, teaching was a respectable white-collar profession for children of immigrants. But the children and grandchildren of those teachers are not in the classroom today. When was the last time any parent expressed the hope that his or her child would grow up to be a schoolteacher?

The recruitment of talented teachers is hampered not only by compar-

atively meager levels of pay, but also by the fact that teaching carries little prestige. Many people still believe that teachers don't work hard. After all, they seem to not work a full day, and they have the summers off.

Even the education bureaucracy doesn't treat teachers as professionals. Teachers have little control over subject matter or method of education. Much of the curriculum is driven by mandatory, dull tests that impose so-called standards. Classes are too large; all too often, keeping order is itself a full-time job. In many city schools, there aren't enough teaching materials, textbooks or basic lab instruments. Who would want to enter such a profession?

Amid this sad state of affairs is a historic opportunity. More than a third of teachers working today are expected to retire during the next decade. Given the surge expected in the number of schoolchildren at the same time, the need for new teachers will be greater than even in the 1950's, when the baby boomers were children.

To recruit a sufficient cadre of new teachers, we must make teaching prestigious by breaking the tradition of teacher education and certification.

Teaching has failed to gain respect because our education schools have defined their subject matter as pedagogy. America organizes its teachers horizontally, according to the age of the pupils they teach. No other advanced industrial society trains teachers primarily in methods targeted at specific age groups.

Right now, a sixth-grade English teacher works with a sixth-grade

math teacher more often than she does with first-grade reading teachers, high school English teachers or English professors. This method is justified by dubious precepts of age-appropriate educational science.

Instead, we ought to educate and organize teachers according to the subject matter they teach. The high school mathematics teacher and the elementary school mathematics teacher should be taught by mathematicians and consider other mathematicians their colleagues.

But that isn't what's happening. Education schools are segregated from the rest of the university and

To improve
education, get rid
of the education
degree.

looked down upon by other departments. Look at any university catalogue and you will find a physics department, a math department and a music department. Look further and you will find a separate school or department of education with independent programs that have their own faculty and curriculums in science education, math education and music education.

Right now, fewer than 65 percent of new teachers have either a major or minor in the subject matter they

teach. Nearly a third of all teachers today teach subjects in which they have no formal training. More than half of all students studying physics in high school are taught by teachers who had neither a major nor a minor in physics.

These grim statistics don't even show the full extent of the problem. Most teachers who boast master's degrees and undergraduate credits in a subject have received them in education schools. As a result, they learn how to teach a subject instead of learning the subject itself.

Our universities and colleges have relegated the training of teachers to second-class enclaves in which the industry of education has flourished. We should disband the education schools and integrate teacher education into the core of the university.

This would place teacher training under the aegis of the graduate schools of arts and sciences. We should eliminate the bachelor's degree in education and require teachers to have a degree in a subject other than education, and preferably in the subject the person intends to teach. Although this requirement may seem most apt for high school teachers who teach specific subjects like chemistry, elementary school teachers need depth of knowledge as well.

Nothing is more difficult than teaching fundamentals. A serious command of knowledge is necessary to impart basic ideas in subjects like mathematics or music. Classroom teaching skills can be taught in apprenticeship programs after a B.A. is completed, and on the job with close supervision.

And states should abandon the current standards of teacher certification. They reflect a historic collusion between schools of education and state legislatures. This alliance has remained in place because of the eagerness within the academic community (among scientists, historians, English professors and their colleagues in other departments) to avoid involving themselves in the preparation of classroom teachers. Indeed, if teaching is viewed with disdain outside the walls of the university, it is regarded at best with a certain condescension on our campuses.

Paradoxically, there are few professions that promise as many rewards and as much satisfaction as teaching. If the right steps are taken to equip teachers with genuine expertise in a subject matter, the profession of teaching may begin to command respect. Then, perhaps we will be willing to give teachers the autonomy and responsibility we grant doctors and lawyers.

Of course, a drastic shortage of teachers may improve pay and teaching conditions all by itself. But why must we be content to fill our classrooms with poorly qualified individuals whom we have to pay more?

We must quickly turn the fast-approaching teacher shortage to the advantage of our children by providing well-educated teachers whom we honor and trust because of the quality and rigor of the training they have been asked to complete. □

Leon Botstein, the president of Bard College, is the author of "Jefferson's Children: Education and the Promise of American Culture."

Essay

WILLIAM SAFIRE

Point That Finger

WASHINGTON

We have stumbled into the era of no-fault government. Blamelessness is next to godliness; nobody in authority is held responsible for blunders, no matter how costly.

Take last week's case of the cell biologist at a Berkeley, Calif., lab who was found to have faked his research findings — supposedly linking electric power to cancer — to win his lab \$3.3 million from three Federal agencies.

A whistle-blower alerted the Office of Research Integrity, which found him "falsifying and fabricating data." The swinging scientist, Robert Liburdy, avoids prosecution by not contesting these findings, though he admits nothing.

Is the lab being forced to return the money to taxpayers? No. Its lawyer tells William Broad of *The Times* that the unused portion is "being used for other science."

What of those at the Departments of Defense and Energy and the N.I.H. who ladled out the money and now make no effort to recover it? No letter of reprimand for nonfeasance is being placed in anybody's personnel file.

That's typical of no-fault government. I'm not talking about prosecution for criminal wrongdoing — only the absence of penalty for failure to do one's job.

Another case: *The Times's* Tim Weiner reported that House Appropriations discovered the Air Force illegally diverting untold millions to a secret "black program." Congress has secure procedures for financing secret operations, but here a Pentagon clique apparently resisted. With unwitting irony, the Pentagon spokesman brushed it off as "an oversight."

Did successive A.F. Chiefs of Staff know of this misuse of funds? Did Senate Armed Services ask the Acting Secretary, Whitten Peters, about this during confirmation? If those in command were in the dark, shouldn't they be publicly reprimanded, if only as an example to other easily duped administrators?

But that would be "finger-pointing," now a bureaucratic no-no. Only institutions may be chastised in this blame-free society — not those individuals wrapped in anonymity who make the costly mistakes.

Remember that cruise missile President Clinton launched to take out a suspected terrorist target in Khartoum in Sudan? The pharmaceu-

tical plant, Al Shifa, was destroyed with great precision.

But it turns out somebody goofed. The plant really was making medicines and we are now quietly paying the Sudanese compensation. We can presume no evil intent — not even a Presidential attempt to change the subject — only a disastrous misjudgment.

How should you assign blame when identification of those responsible might endanger their lives? In that case, Richard Clarke, who is Samuel Berger's counterterrorism chief at the National Security Council, should come forward to say:

"An outside task force has examined mistakes made both in collection and evaluation of evidence. Its top-secret report has been made to the intelligence committees of the House and Senate, which can make their own judgments. We have also spelled out the procedures newly designed to avoid any repeat of this failure."

That would make certain that those responsible know exactly what they did wrong, and know that a repeat of the mistake will result in transfer to a less dangerous line of work. Such corrective is necessary training; its avoidance promotes incompetence.

The same approach should apply to the sequence of breakdowns in collection of intelligence and command decision-making that led to the mistaken bombing of the Chinese embassy in Belgrade.

As of now, some sort of explanation has been provided to Beijing as part of our groveling process. But Chinese intelligence, which lost three of its best operatives (under journalistic cover) in the bombing, guiltily suspects we wanted to close down its secret operation that may have been aiding the Serbs. That fitted neatly into Beijing's need to whip up nationalist fervor against the West to divert its people's minds from deflation and the spiritual pull of Falun Gong.

For the sake of improvement of our own military intelligence — and not to prolong the kowtowing — the N.S.C. should lay the facts before Congressional overseers. Bumbling is forgivable only if it leads to specific acknowledgment of error, even if in secret.

Enough of this evasion of accountability as "the blame game" and airy dismissal of responsibility as "who-shot-John." Finding fault now averts greater fault later. □

Who called
off the
blame game?

The New York Times

MONDAY, JULY 26, 1999

Today's debate: Tracking in schools

Move to end ability-based tracks in urban schools is shortsighted

OUR VIEW Studies offer little evidence such groupings hurt students.

Plenty of damaging educational ideas sounded good in the beginning: ending phonics lessons, carving schools into "open classrooms," teaching math without making children memorize boring multiplication tables.

Here's another education trend that warrants a skeptical look: Urban schools are abolishing "tracking" — the placing of students in academic tracks that suit their ability levels.

More than half of all urban middle schools have done away with any form of tracking in the past decade, says Harvard researcher Tom Loveless, author of the new book, *The Tracking Wars*. Yet he finds no evidence that abolishing tracking solves any urban education ills.

In the early 1980s, when the anti-tracking campaign gained traction, researchers had good reason to be concerned. Often poor, minority children were trapped in dumbed-down classes that denied them a future.

Today, however, the most pernicious forms of tracking have disappeared. Instead, elementary schools use "ability grouping" in which children move in and out of different groups depending on the course.

Because these groupings are short-term and vary by subject, they usually help both teachers and students by allowing teachers to move along a class in unison.

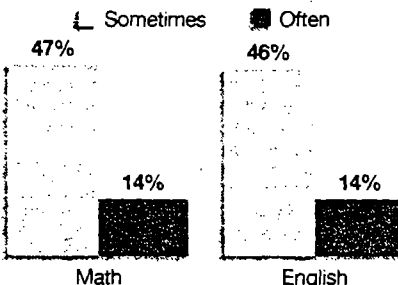
Most middle and high schools typically offer several levels of instruction, especially in math. High school advanced placement classes, considered a hallmark of a quality school, are a clear example of tracking.

What Loveless finds ominous is that urban schools appear to be the only schools embracing the anti-tracking message. If tracking is so bad, Loveless asks, why have suburban schools clung to it?

Research indicates that one group clearly benefits from tracking: high-performing students given a specially designed curriculum. Studies at the University of Connecticut suggest that high-performing students in inner-city schools benefit from "honors" classes, where academic aspirations aren't mocked.

On the right track

Critics of tracking argue that the practice blocks able students from taking challenging courses. But a national survey of high school principals found that a high percentage of schools move students among educational tracks. Schools that move students to more difficult tracks after grade 10:



Source: The Tracking and Ability Grouping Debate, August 1998

By Genevieve Lynn, USA TODAY

And there's solid evidence that all students, despite their abilities, benefit from algebra classes organized along ability levels.

What about the disproportionate number of white students in gifted and honors classes — isn't that evidence of racist tracking?

Not if those ratios accurately reflect student achievement, conclude the authors of the *Black-White Test Score Gap*, the definitive work on racial differences in schools published last year. The problem with some tracking is the poor quality of instruction provided in the lower-ability groups, they said.

A watered-down curriculum taught by incompetent teachers is a familiar problem in urban schools. But that's not a problem solved by abolishing tracking.

Schools doing away with tracking replace it with a one-size-fits-all approach, where all students take the same classes. While that may work for some students, others achieve more when their coursework is paced according to their abilities.

When the anti-phonics pendulum swung too far, fragile learners in inner-city schools were hurt the most. Without firm research supporting it, the move to abolish tracking threatens to do the same.

Tracking harms students

OPPOSING VIEW Instead, make sure all classes are challenging.

By Jeannie Oakes

Don't be fooled. Tracking insults the intelligence of most students and condemns many to dead-end schooling. The ambitious reform called "detracking" aims to stop such mistreatment. Detracking isn't just putting kids into mixed classes; it also demands that all students have challenging schoolwork.

Those who criticize detracking make three false claims: that urban schools have actually detracked, that the jury is out on tracking's harms and that tracking helps high-performing urban students.

► Tracking's essential features remain firmly fixed in most schools. If you doubt it, visit the math and English classes at your local high school. Even if the school denies that it tracks, you will see high- and low-level classes, the low-level classes likely taught by less-qualified teachers. Neither urban nor suburban schools have scuttled tracking. Guaranteed.

► The verdict on tracking is clear. Identifying students as "low ability" and giving them dumbed-down lessons, whether called tracking or something else, harm students and harm

the nation. Tracking discourages student effort and persistence; it is incompatible with high standards and high achievement. Tracking in math bears much of the blame for the United States' low scores in the recent Third International Math and Science Study.

► And it does not help high-performing youngsters. Low-income children of color suffer enormously in tracked urban schools. Low-level classes predominate, creating a school-wide undertow of low expectations that captures even top students. The few who take advanced classes experience little of the academic rigor enjoyed by suburban peers, and they learn far less.

Americans who care about urban schools must oppose tracking. But mixed-ability grouping alone won't solve urban schools' problems. We must ensure all classes are challenging and interesting. We must invest in better curricula, updated materials, well-qualified teachers and the extra supports many students need. Tracking is a bankrupt alternative that miseducates all of our cities' children, high-performing and otherwise.

Jeannie Oakes, a professor at University of California, Los Angeles, is author of Keeping Track, Teaching to Change the World and Becoming Good American Schools.

False alarms

Next year's federal Census was foreordained two centuries ago when the Founders wrote it into the Constitution.

But that's apparently a surprise to today's House leaders. They've decreed that the 2000 Census will require "emergency" funding.

The Census scam is one of many book-keeping fictions Congress is using to spend more while pretending it's not. By declaring funding for any program an emergency, Congress can avoid counting its cost within federal spending limits set two years ago to balance the budget. Leaders are ready to ram through the House, perhaps as early as today, \$4.5 billion for the Census as "emergency spending."

Among other shenanigans:

► The House simply omitted money to pay air traffic controllers and safety inspectors after Sept. 30 when it voted on transportation funding. The \$5.9 billion cost will be funded later — doubtless labeled "emergency."

► In another bill up this week, \$2.5 billion in disaster relief for communities hit by tornadoes, floods and the like has been dropped altogether and the money spent elsewhere. No one

seriously believes the funds won't be provided later, again as a belated emergency.

These "emergencies" keep cropping up because Congress fears the political repercussions both of junking the spending limits and of living with them.

Abiding by the limits would require cuts of 12% to 20% in domestic programs while the public says it supports more spending, not less, on such programs as education and health. And lifting the limits would make the Republicans' pledge to reduce government look dubious.

The administration, meanwhile, is using its own budgetary tricks. For instance, it counted on a 55-cent increase in the cigarette tax that it knows has no chance of passing.

Budgetary games are, of course, even older than the Census. But coming now, they show how eager both parties are to shuck the restraints that finally balanced the federal budget. And that is no small hazard.

Cooking the books to make false claims of frugality only whets Washington's appetite for the kind of tricks that saddled the nation with massive budget deficits.

Edison Schools Files to Make Initial Offering

By JOSEPH PEREIRA

Staff Reporter of THE WALL STREET JOURNAL

Edison Schools Inc., a pioneer in the business of for-profit management of public schools, filed for an initial public stock offering despite a track record of unprofitability.

In a Securities and Exchange Commission filing, Edison said it plans to offer \$172.5 million worth of stock, but wasn't specific about how much of the company it intended to sell to the public, or at what price. The offering is expected to be closely watched by investors and educators, given the high profile of Edison founder Christopher Whittle and Chairman Benno Schmidt, a former Yale University president. The issue could signal whether the so-far-limited tactic of the public sector using private school managers has a real future.

Edison contends its methods, which involve heavy use of information technology and a longer school day, have raised test scores in the schools it manages. That contention has been disputed by critics.

Since it began managing public schools in 1994, Edison has had losses of \$10 million to \$14 million each year. In its offering prospectus, Edison said "we have not yet demonstrated that public schools can be profitably managed by private companies, and we are not certain when we will become profitable, if at all."

Industry observers said Edison, the leading private operator of public schools in the U.S., may be close to reaching the critical mass needed to eke out a profit. Edison expects to operate 77 schools this coming school year, up from 51 last year.

"It's a volume business," said John McLaughlin, editor of the Education Industry Report newsletter. "There isn't a fat profit margin to work with." Most industry observers estimate a management company would require a base of 75 to 100 schools before getting into the black. Mr. McLaughlin said he expected the offering would be a success, but added, "it's not going to be an Internet stock," and cautioned investors not to expect big short-term gains.

With an estimated \$350 billion in taxpayers' dollars pouring into primary and secondary education each year, many venture capitalists have viewed the market as potentially attractive. During the past seven years, Edison, of New York, has raised a total of \$232 million, including the \$71 million it obtained last week from investors, including Microsoft Corp. co-founder Paul Allen. Mr. Allen's Vulcan Ventures Inc. invested \$30 million.

Mr. McLaughlin said Edison leads a core of about six to eight companies offering management services to public schools. Edison's revenue from educational services climbed to \$69.4 million in 1998 from \$11.7 million in 1996. For the nine months ended March 31, Edison reported revenue of \$96 million, compared with \$50.4 million in the year-earlier period.

Interest-Rate Worries Keep Stocks Down

MONDAY'S MARKETS

By E.S. BROWNING

Staff Reporter of THE WALL STREET JOURNAL

Investors initially bid stocks up on news of moderate growth in smokestack America, but then interest-rate worries took over and investors pushed stocks back down.

After being up as many as 136.45 points early in the day, the Dow Jones Industrial Average closed down 9.19 points, or 0.09%, at 10645.96. The battered Nasdaq Composite Index fell 14.86, or 0.56%, to 2623.63. The Dow industrials now are down 5.03% from their July 16 record close; the Nasdaq composite is down 8.41% from its record. Wall Street generally calls a drop of 10% a correction.

Bonds fell and the dollar pulled back to 114.37 yen in late New York trading, its lowest level since Feb. 12.

"There has been a psychology shift over the past two weeks," said Bill Schneider, head of block trading at Warburg Dillon Read. With investors increasingly convinced that the Federal Reserve will raise its benchmark interest rate at its Aug. 24 policy meeting, investors are taking profits rather than building positions. "It is 'sell the rallies' rather than 'buy the dips,'" Mr. Schneider said.

Yesterday's report of moderate July industrial growth, from the National Association of Purchasing Management, was taken as good news, implying weak inflation. But economists pointed out that raw-materials prices paid by companies still are accelerating, which still points to inflation risks and to an interest-rate increase. Yesterday, in fact, the Bridge-CRB Commodities index closed at its highest level since Jan. 13.

Another part of the problem was that it was the first Monday in August: Volume on the New York Stock Exchange, at 622.9

million shares, was the fourth lightest of the year.

For 1999, the Dow industrials still have gained 15.95%, while the Nasdaq composite is up 19.65%. The Standard & Poor's 500-stock index, which fell 0.67 point, or 0.05%, yesterday, to 1328.05, is up 8.04% in 1999.

The average share of stock listed on the New York Stock Exchange fell five cents, or 0.11%, to \$45.30.

World-wide, stocks declined in dollar terms. Excluding U.S. stocks, the Dow Jones World Stock Index fell 0.29 point to 160.02. In major market action:

Stocks fell. On the Big Board, 1,225 stocks advanced and 1,763 declined.

Bonds declined. The bellwether 30-year Treasury bond fell 8/32, or \$2.50 for a \$1,000 bond, pushing the yield up to 6.119%.

The dollar was mixed. Late in New York, it traded at \$1.0696 to the euro and 114.37 yen to the dollar, strengthening from \$1.0710 and weakening from 114.50 yen.

THE WALL STREET JOURNAL
TUESDAY, AUGUST 3, 1999

Accountability in School Construction

After a 16-year-old girl was killed last year by a falling brick at a school construction site in Brooklyn, investigators declared that the agency in charge of school building, the School Construction Authority, had grown "numb to mediocrity." Mediocrity is in some ways an improvement over the years when school construction in New York City was an even more dangerous and deeply corrupt enterprise. But despite reforms in 1988, the system suffers from a chronic lack of accountability. City schools for 1.1 million students are built by a faulty, politically charged bureaucracy that prefers finger-pointing when things go wrong.

As catalogued recently in *The Times*, bureaucratic tangles have resulted in a long list of alarming and merely infuriating abuses. One former inspector general described the harrowing process of building city schools as "an airplane flying very fast and being built while it flew."

The problems range from clerks who barely check the qualifications of contractors to a haphazard planning system at the Board of Education that

schedules projects so badly that \$500 million in work went out for bid in two overloaded months. Milo Rivero, who took over as president of the authority in January 1998, has made some progress, although there are fears that once he departs, the agency could sink back into its bad old ways.

Meanwhile, the Construction Authority spends much of its time battling with the city's Board of Education over plans for schools and the schedules for building and renovation. The authority also answers to three trustees who are appointed by the New York City schools chancellor, the mayor and the governor.

An investigation of the authority begun by Gov. George Pataki should focus on ways to give the system accountability, shift children away from construction sites and force better and longer-range planning for building and renovating schools. If these investigators find more safety problems or shabby construction, they will simply be plowing old ground. More useful would be proposals for ways to renovate the management of a flawed system.

Risking Nature

An irreconcilable tension seems to govern human attitudes toward nature. We think of it both as an innocent refuge from the corruption of human society and the savage condition from which civilization is an escape. These views have always orbited each other, like twin stars, and they are reflected in most periods and at every level of our culture, from Jean-Jacques Rousseau to Walt Disney and Steven Spielberg.

Each view, in itself, is at best a half-truth, at worst a total delusion, but each view also made a certain emotional sense when humans lived in closer proximity to nature than most of us do now. In a way, it scarcely matters whether you think the natural world is benign or malevolent, as long as you also know that when you enter it you take a more direct and intimate responsibility for your personal safety than you ever do on the streets of the modern world.

These thoughts are prompted by the disaster last week near Interlaken, Switzerland, where 19 people "canyoning" down a mountain brook were swept to their deaths by a flash flood caused by a thunderstorm upstream. What makes these deaths especially troubling is the fact that the flood that

overtook them was a predictable event, and that the people who died were being led by paid guides, several of whom also lost their lives. Criticism was immediately leveled at the growing popularity of extreme sports, like canyoning, ice climbing, rafting and paragliding, and at the pitch of boredom that apparently causes young people — people of all ages, in fact — to risk their lives at those sports.

Those criticisms are nonsense. Trouble arises not when you decide to risk your life in one extreme sport or another but when you do not know that that is what you are doing — when, in other words, you let someone else risk your life for you. The danger is not extreme sports or nature itself. The danger is our anesthetized, Disneyfied view of nature as a place where the conventions of urban life still apply, where the burden of self-preservation, at its most basic level, can be handed off to the authorities, to a guide or counselor or instructor.

It is hard to teach modern, city-dwelling humans how to take a safe walk in the woods, much less go canyoning down a mountain stream. But one reason humans seek out nature, even at its extremes, is that there, still, self-reliance matters. The risk is acceptable, but only if the risk is really known.

The New York Times

TUESDAY, AUGUST 3, 1999

Wondering About a Wonder Drug

By Susan Love

WLOS ANGELES omen with breast cancer or at high risk of developing it consider the drug tamoxifen to be a lifesaver. The drug is able to counter the cancer-promoting effects of the hormone estrogen, which has been shown to aid the growth of about half of breast cancers. But a new study has shown how tamoxifen can reverse its colors and stimulate the growth of cancer cells after two to five years of use.

These latest findings could be troubling and confusing news for the many women who are taking the drug. Didn't we just read reports that tamoxifen should be given to healthy women to prevent breast cancer? What is going on here?

What is going on is yet another example of the fact that medicine and science are a work in progress.

In fact, this new research, done by scientists at Duke University Medical Center and the Novalon Pharmaceutical Corporation in Durham, N.C., does not contradict any of the previous studies. Rather, it suggests the explanation for the observation made in a previous study that taking tamoxifen for 10 years is no better and maybe worse than taking it for five years. If you keep on taking Tamoxifen beyond five years, the drug can develop a way to start acting like estrogen rather than blocking it. A little is good, but more isn't better.

Whenever a new finding is announced, scientists and clinicians are doing nothing more than making their best guess at the moment. We have to stay tuned, because with more studies we can make an even better guess. Unfortunately, people often infer (and the news media often give the impression) that these guesses and hypotheses are the "truth."

I was once told by a television interviewer that the problem was that

Susan Love, a breast surgeon, is the author of "Dr. Susan Love's Breast Book."

women needed "the answers" on breast cancer. I replied that I thought it was the media that require "the answers" and that women are perfectly able to make the best decision possible based on inadequate information. They do this every day. And women understand that the answers may change with further data.

Tamoxifen is a perfect example of how medical knowledge evolves. It was first developed in 1962 as a "morning after" birth-control pill that was effective in rats. In humans, however, tamoxifen had the opposite effect: it was found to be a fertility drug. Luckily, a British doctor, Arthur Walpole, thought to test tamoxifen in women with breast cancer. It was known that many cancers were sensitive to estrogen, and he hypothesized that an antiestrogen agent might help. Indeed it did. Doctors then proved that it worked in women with advanced breast cancer, and then in women with

moxifen was shown to decrease the incidence of breast cancer by 49 percent in high-risk healthy women. But the number of women in the study who got cancer was relatively small: 4.3 percent of women developed breast cancer in the placebo group, while 2.2 percent developed it in the tamoxifen group. This means that 95.7 percent of these high-risk women took tamoxifen with no immediate or short-term benefit and risked side effects, including a small increase in uterine cancer in postmenopausal women and, more important, a small but real increase in deaths from lung clots.

More important, perhaps, the women in this study who had had biopsies showing atypical hyperplasia (precancerous changes in the cells lining the milk ducts) and who took tamoxifen reduced their risk of developing breast cancer by 86 percent. If it were easy to identify which women will develop these changes we could select which women are most likely to benefit from tamoxifen. But as of now there is no equivalent of a Pap smear for breast cancer.

Or, if we had a way to monitor women on tamoxifen, we might be able to detect when the cells are beginning to become resistant before they have a chance to do damage. Researchers are studying a device to do just this. Let's hope this is the next piece of progress.

Thus the real message for women is not that tamoxifen is bad or good, but that it is an interesting drug that we do not fully understand. Taking it for five years after a breast cancer diagnosis is worthwhile. Taking it longer may not be better. In high-risk women, the risks and potential benefits of taking it for prevention should be considered. Raloxifene, on the other hand, has yet to be proved to decrease breast cancer in these women.

Once again, we have been disappointed by what we regarded as the "truth" about cancer. A miracle drug is a miracle for some and not others, and we don't yet know enough to figure out which group is which. But the more research and the more clinical trials, the better, no matter how conflicting their results. We may not ever have the "truth," but our best guesses will only get better. □

The 'truth' about cancer is that there is no truth.

newly diagnosed breast cancer.

As its use increased in the early 90's, clinicians were surprised again by this "antiestrogen," which they had assumed blocked estrogen throughout the body. They found that it blocked estrogen in the breast and brain but amazingly seemed to act like estrogen in the bones, liver and uterus. This observation led them to identify a new category of drugs called selective estrogen receptor modulators. Researchers then set out to design a drug that would be even better than tamoxifen: one that would not cause uterine cancer but would prevent osteoporosis and heart disease as well as breast cancer. The first of these designer selective estrogen receptor modulators, raloxifene, is undergoing clinical trials.

In a study of more than 13,000 women financed by the National Cancer Institute and concluded last year, ta-

The New York Times

TUESDAY, AUGUST 3, 1999

Manufacturing Still Hums, But Growth Rate Is Slower

WASHINGTON, Aug. 2 (Bloomberg News) — Manufacturing grew at a slower rate in July as new orders and production declined, according to a survey of executives released today, offering a sign that the Federal Reserve may bide its time in raising interest rates again.

The National Association of Purchasing Management's factory index fell to 53.4 for the month — the largest drop since July 1996. The index had hit a two-year high of 57 in June.

Still, July was the sixth consecutive month the index had stayed above 50, meaning that most manufacturers surveyed reported improved business. This follows eight months of weakness and suggests that a turnaround from the slump last year is gradual. As a result, economic growth may be restrained enough that Fed policy makers will be less worried about accelerating inflation.

"Manufacturing will come back stronger," said Sung Won Sohn, chief economist at the Wells Fargo Company in Minneapolis. "But it's just taking longer."

The association's index of new orders showed the largest drop since July 1996 as it and the production index fell for the first time since April.

Other parts of the economy continue to exhibit strength. A separate report released today showed that construction spending rose in June for the first time in three months as

builders stepped up work on offices, factories and schools.

Construction spending rose five-tenths of a percent in June after dropping 1.4 percent the previous month, Commerce Department figures showed. Still, construction of single-family homes fell six-tenths of a percent in June as builders continued to have trouble finding workers and getting some materials.

In manufacturing, demand for United States goods has improved this year as foreign economies overcame their 1998 slumps. Exports in the second quarter were \$11 billion larger than in the first quarter.

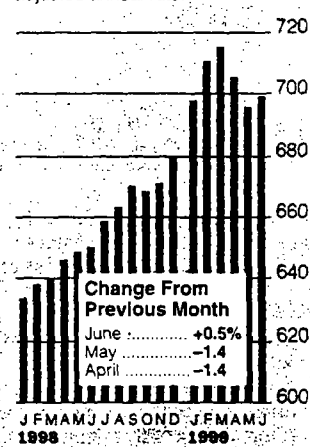
In addition, second-quarter inventories accumulated at a slower pace than in the first quarter, which means that businesses could be poised to place orders in the months ahead.

The report today also foreshadowed potential price increases down the road. The association's index of prices paid rose to its highest level since September 1997, indicating that more companies reported paying higher prices for their supplies. Another index showed that more companies reported slower deliveries of supplies, which could also cost them money.

Other recent reports also indicate that the rebound for factories has been slower than expected. Government figures showed that orders for durable goods in June were restrained by reduced demand for in-

Construction Spending

Total construction spending in billions of dollars at seasonally adjusted annual rate.



Source: Commerce Department

The New York Times

dustrial machinery.

And some signs show that consumers could be closing their wallets after spending earlier this year at the fastest pace in 11 years. Consumer spending slowed in the second quarter, to a 4 percent annual rate of increase, after rising at a 6.7 percent pace in the first quarter.

That does not mean that spending will dry up, however. Several industries, especially housing and automobiles, continue to support record or near-record sales. And sales of both new and existing homes are on track to set another annual record.

THE FRESH AIR FUND: 123D SUMMER

Prices Slip a Bit for Treasuries; 30-Year's Yield Up to 6.12%

By Bloomberg News

Prices for Treasury bonds fell yesterday, with demand sapped both by concern that the Federal Reserve might raise interest rates again and by the prospect of at least \$42 billion of expected debt sales.

The price of the 30-year Treasury bond fell $\frac{3}{32}$, to 88 $\frac{1}{32}$. The bond's yield, which moves in the opposite direction from the price, rose to 6.12 percent from 6.10 percent on Friday.

Bonds actually trimmed losses of almost a full point earlier in the session. The partial rebound came after a report showed that manufacturing grew in July at a slower-than-expected pace and as yields that had reached five-week highs lured buyers.

"It'll be a tough row to hoe" for bonds in the weeks ahead, said Paul Van Kampen, portfolio manager at NCM Capital Management Group Inc. in Durham, N.C. He has added bonds to the \$4.4 billion he helps manage, though he still sees room for more losses before any big gains.

Treasuries had fallen in step with declines in bonds in Europe and Japan and as the dollar declined against the yen.

"We're setting up for a buying

opportunity, but we're not there yet," said William Stevens, senior portfolio manager at Montgomery Asset Management L.L.C. in San Francisco. He said he would consider adding bonds to the \$1.8 billion portfolio he oversees if yields rise about another quarter-point.

Bonds pared some losses after the July report from the National Association of Purchasing Management showed that manufacturing growth rose at a slower-than-expected pace.

"This report may be seized on by some as a reason for the Fed to stand pat," said Ian Shepherdson, chief United States economist at High Frequency Economics in Valhalla, N.Y. "We still think rates will rise on the 24th" of August, when central bank officials next meet to set policy, he said.

Results of yesterday's Treasury auction of 3-month and 6-month bills:

(000 omitted in dollar figures)		
	3-Mo. Bills	6-Mo. Bills
Price	98.813	97.599
High Rate	4.69%	4.75%
Coupon Yield	4.83%	4.94%
Low Rate	4.59%	4.63%
Median Rate	4.68%	4.74%
Total applied for	\$30,095,914	\$28,081,348
Accepted	\$12,392,414	\$12,470,298
Noncompetitive	\$1,445,126	\$1,237,270

Both issues are dated Aug. 5, 1999. The three-month bills mature on Nov. 4, 1999, and the six-month bills mature on Feb. 3, 2000.

The New York Times

TUESDAY, AUGUST 3, 1999

Navy Attributes Fatal Bombing To Mistakes

ROOSEVELT ROADS NAVAL STATION, P.R., Aug. 2 (AP) — The Navy said today that errors by a fighter pilot and a ground control officer were responsible for a bombing accident that killed a civilian near a Puerto Rico bombing range on April 19 and led to demands that the Navy abandon the range.

A report found that the pilot, a marine who was not identified, became disoriented at dusk and picked the wrong target, an observation post, killing David Sanes Rodriguez, a security guard.

A Navy ground control officer at the Vieques bombing range cleared the pilot to drop his 500-pound bombs even though he did not make visual contact with the plane, as required by Navy rules, the report said.

Mr. Sanes, 35, a civilian security guard, was standing outside the observation post when the two bombs struck on either side of him, 50 feet away. He was killed instantly. Four others were wounded.

Mr. Sanes's death galvanized resentment over the Navy exercises on Vieques, an island off Puerto Rico. The government of Puerto Rico, a United States commonwealth, has since demanded that the Navy leave Vieques.

"Two people made terrible mistakes," said Capt. James Stark, commander of Roosevelt Roads Naval Station. "There was no willful misconduct on the part of either of those individuals."

The pilot, who is 26, could face a court-martial, said Lieut. Col. David Wunder, staff judge advocate for the Marine Corps air station in Cherry Point, N.C.

The range control officer, whose name was also withheld, received a letter of reprimand and could face further discipline. He has been transferred from Vieques.

As a result of the accident, the Navy is improving ground-to-air communications and increasing the observation post's visibility, officials said.

National News Briefs

Scientists Discover Gene For 'Good' Cholesterol

By The Associated Press

Scientists have identified a gene that regulates the body's level of so-called good cholesterol, which could someday lead to a new way to treat one of the most common causes of heart disease.

Flaws in the gene, ABC1, prevent the production of a protein that the body needs to rinse excess bad cholesterol and other fats out of cells and the bloodstream.

The gene was discovered by researchers looking for the cause of Tangier disease, a rare inherited illness in which the body produces virtually none of the good cholesterol, HDL. Without it, the level of the bad cholesterol, LDL, and other fats that clog arteries rise unchecked.

Scientists not involved in the studies said the discovery was a significant advance because millions of people with cardiovascular problems have lower-than-normal HDL levels.

PBS Halts Practice Of Sharing Donor Lists

PASADENA, Calif., Aug. 2 (AP) — Under fire for sharing lists of their contributors with political groups, public television stations will end the practice immediately, the president of the Public Broadcasting Service, said on Sunday.

"By the end of this week, no station in America will be engaged in these practices," the official, Ervin S. Dugan, said at a meeting of the Television Critics Association. "I hope we can put it behind us."

At issue is whether stations violated Federal tax law by providing their donor lists to political parties.

The Public Broadcasting Service has said as many as 30 of 349 stations nationwide appeared to have made such sales or exchanges.

Tax experts have said that would not be a violation as long as all political parties received equal access to the lists.

Request From Congress Delays Huang Hearing

By The New York Times

LOS ANGELES, Aug. 2 — A hearing at which the Democratic Party fund-raiser John Huang was expected to plead guilty to making illegal campaign contributions was postponed today after the judge was asked to allow Mr. Huang to testify before Congress.

Representative Dan Burton, Republican of Indiana, the chairman of the Committee on Government Reform, said in a July 15 letter to Judge Richard Paez of Federal District Court that Mr. Huang was far more likely to cooperate with his committee's investigation of campaign fund-raising if he appeared before he was convicted and sentenced.

Prosecutors oppose the idea. If Mr. Huang testifies with a Congressional grant of immunity before he enters his plea, a Federal official said, he could appeal his conviction and sentence on the grounds that the criminal case against him was tainted by his Congressional testimony.

Florida Judge Upholds Use of the Electric Chair

ORLANDO, Fla., Aug. 2 (AP) — A judge today upheld the use of Florida's electric chair, rejecting arguments that it amounted to cruel and unusual punishment because a 344-pound killer bled from the nose during his execution last month.

"Allen Lee Davis did not suffer any conscious pain while being electrocuted in Florida's electric chair," Judge Clarence Johnson said of the inmate. "Rather, he suffered instantaneous and painless death."

Lawyers for the next man scheduled to die in the chair had argued that Mr. Davis suffered as he died, so the state Supreme Court had ordered a hearing by Judge Johnson, a retired circuit judge.

Mr. Davis was executed July 8 for murdering a pregnant woman and her two daughters in Jacksonville in 1982. The challenge to the electric chair was filed by lawyers for Thomas Provenzano, 50, convicted in a 1984 shooting in an Orlando courtroom that killed two bailiffs.

Edison Schools Seeks Public Offering

By Dow Jones

Edison Schools, the private operator of public schools, filed with the Securities and Exchange Commission yesterday to offer \$172.5 million worth of stock in an initial public offering.

The Edison Project, as the company is more commonly known, was founded in 1991 and has seized on the general discontent many people have with public school systems by taking over public schools, offering an increased emphasis on technology and more spending for students.

The New York-based company operated 51 schools, with 23,900 students, for the 1998-99 school year. Edison expects to have 77

schools, with about 37,000 students, in the coming school year, according to its prospectus.

For the nine months ended March 31, the company had \$96 million in revenue, with a net loss of \$20.7 million. Edison has thrived recently with the emergence of charter schools in urban areas, run by community groups rather than school boards.

Still, Edison says in its prospectus that its approach to education has been accompanied by significant public debate.

Just last week the company got a \$30 million investment from Vulcan Ventures, the firm run by Paul G. Allen, the co-founder of the Microsoft Corporation.

Lobbying for F-22 fighter gets intense

By Steven Komarow
USA TODAY

WASHINGTON — The F-22 fighter might prove as hard to shoot down in Congress as supporters say it will be in the air.

The Air Force and aerospace giant Lockheed Martin, the prime contractor, are working furiously to reverse last week's House decision to delay production of the jet.

Key lawmakers are being lobbied by contractors with employees in their districts. Others have been flown to the Lockheed Martin assembly plant at Marietta, Ga., to reassure them that the program is moving ahead well. A previously pokey air-testing program, which the General Accounting Office has long criticized as lax, has been replaced by regular reports of aerial feats.

Meanwhile, Air Force experts are warning that any delay would only make the jet more expensive and increase the risk that an enemy will gain the upper hand.

"Someone's got to control the air. If we don't, they will," says Maj. Gen. Claude Bolton, the Air Force executive officer for fighter and bomber programs.

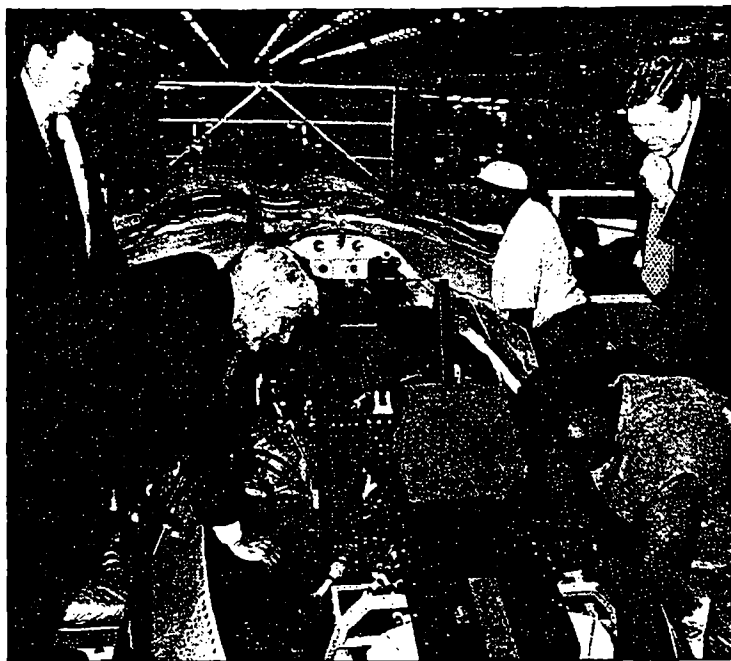
When House and Senate negotiators meet in September to draft a compromise bill to send to the president, even critics expect the Air Force to win restoration of the program.

"If somehow the House convinces the Senate to kill this thing, I would be extremely surprised," says Luke Warren of the Council for a Livable World, which opposes the F-22. There is little argument that the F-22 would be a technical advance over the F-15 it is scheduled to replace. Compared with the older fighter, the F-22 is designed to be harder to detect on radar and more maneuverable, especially when traveling at supersonic speeds. And many of the F-15s that were first built in the 1970s are wearing out.

Those arguments carried the day in the Senate, which approved the Pentagon's plan to buy six next year, the first step toward ramping up a production line that would build 339 over 16 years.

But the House looked closely at the \$60 billion price tag and balked. By itself, the F-22 might be affordable. But the Pentagon is also asking Congress to buy the Navy the new F-18E/F and, in a few years, the Joint Strike Fighter, a radar-evading successor to the F-16.

There also is an argument in defense circles whether to invest so



By John Rossino, AP

At the plant: Representatives Jerry Lewis, R-Calif., second from left, and Norman Dicks, D-Wash., far right, study an F-22 in Marietta, Ga., Monday.

heavily in piloted aircraft when advanced drones and long-range missiles can fly into danger zones. Defense Secretary William Cohen has instructed the services to aggressively pursue so-called Unmanned Aerial Vehicles.

The House balked after the chairman of the defense appropriations subcommittee, Rep. Jerry Lewis, R-Calif., pushed through his panel a plan to divert \$1.9 billion for F-22 production to other military programs. He argued that the need for the F-22 is not acute but other problems are.

In a decision later ratified by the full House, the bill would use the F-22 production money to buy more of the current F-15 and F-16 fighters and aerial tankers. Some of the money also would finance a bonus program to help the Air Force retain top pilots.

"While many in the Air Force may question the decision, the House is sending an important message that we believe it is imperative for the Air Force to reassess its priorities," Lewis said.

The bill left in place \$1.2 billion to continue research and development of the F-22. Two prototypes are being tested.

The Air Force warns that any savings in the House bill would be more than offset by the cost of rewriting the hundreds of contracts and subcontracts involved. Bolton said the single-year cut of \$1.9 billion would

result in \$6.5 billion in added costs. Congress members also will be reminded of the impact back home. With the F-22 as with other programs, the prime contractors spread around the wealth. At its peak, the F-22 program would employ 28,000 people in 48 states and Puerto Rico, according to Lockheed Martin.

Sen. John McCain, R-Ariz., who

supports the F-22, says he still is bothered that killing a major weapons program is nearly impossible once "it reaches a critical mass where they have become a jobs program."

Tom McInerney, a retired Air Force three-star general, says the Pentagon's spending problem is not the F-22 or other new weapons but the reluctance of the Pentagon and Congress to cut costs in other areas. He says only 30 cents of every defense dollar goes to people or programs designed to wage war; the rest goes to support bureaucracy and overhead, such as maintaining excess bases that Congress refuses to close.

If Congress pursued those reforms, says McInerney, president of Business Executives for National Security, financing the F-22 "would be no trouble whatsoever."

Children's Rights Council calls Maine best place to raise kids

The Associated Press

PORTLAND, Maine — Compiling information on everything from immunization to juvenile crime, a national advocacy group has concluded that Maine is the best state in which to rear a child.

Maine advanced from eighth place last year, when Iowa was No. 1 in the rankings compiled by the Children's Rights Council.

Behind Maine are Massachusetts, Connecticut, Vermont and New Hampshire.

Bringing up the rear, in descending order, are California, Arizona, Texas, New Mexico, Louisiana and Washington, D.C.

The report released Tuesday measured rates of abuse and neglect; the rate of immunizations under age 2; the dropout rate; children in poverty; the child death rate; the infant mortality rate; those not receiving natal care; total juvenile crime; the divorce rate; and the teen birth rate.

The states were ranked by calculating the average of all 10 factors.



By Robert F. Bukaty, AP

King: 'This is a wonderful honor for Maine,' governor says.

"This is a wonderful honor for Maine, and it simply tells the country something we've known in Maine for a long time — it is a wonderful place to raise children," said Gov. Angus King, who was joined by members of the state's congressional delegation. But he acknowledged that more needs to be done.

"Nobody from Maine would tell you that everything is fixed," the governor said.

King spokesman Denis Bailey said the governor has made child welfare a top priority with programs such as the Children's Cabinet. The program was formed in 1994 to let the heads of five state agencies collaborate on policies affecting parents and children.

But Bailey also noted that some areas for improvement aren't shown by the figures, such as those showing a low high-school dropout rate.

"What we don't do well in is the number of graduates going on to college or technical school," he said.

Peggy Armstrong, a spokeswoman for District of Columbia Mayor Anthony Williams, said city officials had no quarrel with the District's last-place rank in the report.

Next year's budget, which Congress must approve, earmarks \$50 million for programs to "help turn these terrible statistics around," she said.

Class action in California

ACLU says minorities are excluded from advanced courses

By Tamara Henry
USA TODAY

A class-action lawsuit was filed Tuesday in California Superior Court on behalf of hundreds of thousands of black and Hispanic high school students who don't have access to honors or advanced courses.

The American Civil Liberties Union of Southern California, along with the law offices of Johnnie Cochran, accuse the state of violating state constitutional guarantees of equal educational opportunity by not offering equal access to the highly regarded Advanced Placement (AP) courses.

Students need the courses to ensure success in college, yet they are being denied "equal and adequate" access, attorneys allege. For example:

► 120 of the state's 870 public school high schools do not offer their students any AP classes, denying the benefits of college-level classes to more than 81,000 predominantly minority students.

► 333 public high schools offer four or fewer AP courses, a disadvantage for 340,000 public high school students, or more than one-fifth of the state's high school student enrollment.

► Of the 144 public high schools that offer 15 or more AP classes, 93, or 65%, of the schools have student popula-

"This is a two-tiered educational system. In the face of its own data, with its eyes wide shut, California places hundreds of thousands of its children on uneven playing fields sodded with quicksand."

— Mark Rosenbaum, ACLU

tions that are 50% or more Asian and white; 84, or 71%, of the schools that offer 19 or more AP classes have 50% white and Asian student bodies.

Doug Stone of the California Department of Education says officials were in the process of reviewing the lawsuit.

"This is a two-tiered educational system," says ACLU's Mark Rosenbaum. "In the face of its own data, with its eyes wide shut, California places hundreds of thousands of its children on uneven playing fields sodded with quicksand."

More specifically, Rosenbaum says, the predominantly minority Inglewood High School offers three AP courses, while Beverly Hills High School — with a student body that is 76.6% white — offers 14 AP subjects and 45 AP classes.

The College Board, a national not-for-profit educational organization that administers college admission exams, developed the AP program more than 40 years ago. Qualified and motivated high school students take college-level course material, then are tested at the end of the year.

AP courses are traditionally more challenging and demanding than regular and honors courses, providing for greater intellectual development.

Rosenbaum says that after affirmative action ended in California, the university system began giving extra points to students who had taken AP courses.

So, in 1998, the University of California, Berkeley, rejected 8,000 applicants whose GPAs were 4.0, choosing to accept students with higher GPAs resulting from their enrollment in AP courses.

"As we move toward the end of this century, we should strive as a society to foster, not frustrate, our young people's talents, capacities and interests," says ACLU staff attorney Rocio Cordoba. "In particular, every California high school student, regardless of his or her race or income, should have an equal opportunity to participate in and benefit from the breadth of educational advantages that flow from the AP program."

Ruling rejecting challenge to NAFTA pleases both administration, trade activists

By Jane Bussey

Knight Ridder Newspapers

An Alabama federal judge's decision rejecting a constitutional challenge to the North American Free Trade Agreement brought cheer to the Clinton administration and renewed determination from steelworkers and other trade activists to pursue their claims.

U.S. District Judge Robert B. Propst last week rejected the union challenge to the 1994 U.S. trade accord with Mexico and Canada. The union argument was that, as an international treaty, NAFTA needed to be approved by a two-thirds majority in the Senate instead of just a simple majority in both houses of Congress.

Propst ruled that while NAFTA fits the description of a treaty, the U.S. Constitution also gives Congress wide latitude to make decisions on commerce that include the right to approve trade accords as executive agreements.

"The President had the authority to negotiate and conclude NAFTA pursuant to his executive authority," Propst wrote.

But Friday's decision isn't likely to be the last word on this issue.

Both the United Steelworkers of America and the Made in the USA Foundation, which filed the suit, said they would appeal.

Propst himself appeared to lay the groundwork for further legal wrangling by writing, "Remarkably, in the over 200 years of this nation, the Supreme Court of the United States has not specifically and definitively decided" the issue of whether a commercial agreement must be ratified as an international treaty or not.

"The Justice Department was pleased with the outcome," said Justice spokeswoman Chris Watney. "We believe that NAFTA was consistent, not only with the Constitution but also with decisions by the Supreme Court and how trade agreements have been negotiated and approved."

A Commerce Department statement said Secretary William Daley welcomed the decision, adding: "We have always been confident that the courts would recognize that the procedure for passing NAFTA was fully constitutional."

Propst's decision did not entirely disappoint the steelworkers or Made in the USA.

He ruled that both groups had legal standing to file the suit because they "have sufficiently alleged injuries that are fairly traceable to NAFTA and the Implementation Act." He also concluded that their arguments had legal standing and were not just political arguments.

"We are in the ball game," said Gary Hubbard, spokesman for United Steelworkers of America. "It gives us legal arguments to appeal."

Joel Joseph, chairman and general counsel of the Made in the USA Foundation, concurred. "The decision, although unfavorable, really concedes a lot to us, for instance that it is not a political question."

GOP brings sweeping tax cut proposal to the floor despite Greenspan warning

By David Hess

Knight Ridder Newspapers

WASHINGTON Federal Reserve Chairman Alan Greenspan warned the Senate Finance Committee on Wednesday that it would be dangerous to cut taxes just now, but the Senate responded by bringing a sweeping \$792 billion tax cut proposal to the floor.

Democrats have called the plan irresponsible and President Clinton has threatened to veto it, but the Republicans were joyous in their expressions of support.

The proposal, which would cut the lowest personal income-tax rate from 15 percent to 14 percent, wipe out the so-called marriage tax penalty, eliminate inheritance taxes and provide a broad array of new business tax breaks, is expected to pass the Senate later this week.

The House passed its own \$792 billion plan last week, but the two proposals differ significantly in their details. Republicans in Congress hope to reconcile those differences and agree to a compromise next week before adjourning for their summer recess Aug. 6.

In political terms, Republicans are betting that Democratic opposition to a big tax cut will play to the GOP's advantage in next year's national elections. But polls now indicate that comparatively few voters, as the good economic times roll, rate tax cuts very high on their list of concerns.

Still, the tax issue has been a defining mantra for the party's core constituents and GOP strategists intend to trumpet it to rouse their base, which they consider vital not only to winning the White House but also to retaining control of both houses of Congress in 2000.

As the debate rumbled on through the day Wednesday, Republicans were forced by a threatened Democratic procedural motion to limit the life of the tax cut to 10 years.

As originally conceived, it would have been permanent. But under rules forged years ago, any tax or spending legislation that would, after a decade, cause a rise in the national debt requires a 60-vote waiver in the Senate.

Failing on a 51-48 vote to secure that waiver, the GOP had to settle for a modified bill that "sunset" the tax cut on Dec. 31, 2009. But Republican aides said there would be "plenty of time" between now and then to write a new bill that extends the cuts.

The GOP majority, which holds a 55-45 edge in the Senate, also voted down a bid by Democrats to supplant the Republican tax cut with a smaller, \$290 billion package. The vote was 60-39.

The Democrats' bill would have set aside substantially more money for Medicare in the long term and skewed the tax-cut benefits to middle-income and blue-collar families.

The Republicans were disdainful of that option.

"The Republican bill is prudent and responsible," said Sen. Pete Domenici, R-N.M. "Nobody can deny that we have left intact every penny of surplus in the Social Security fund, and that we fully fund Medicare for the next 10 years. ... After all the bills are paid and the Social Security surpluses are set aside, the American people will get a very substantial tax reduction."

In more prosaic terms, Domenici said the GOP's dispute with Clinton and congressional Democrats boiled down to whether "we can afford to give back to taxpayers 25 cents out of every dollar of surplus (as in the GOP plan) or 10 cents (as in a Democratic alternative bill)."

Senate Finance Committee Chairman William Roth, R-Del., warned that if Congress failed to return anticipated surpluses to taxpayers over the next decade, the money would be spent by future Congresses. "American families who created the wealth in the first place are rightly entitled to those revenues through broad-based tax relief," he said.

Democrats, meanwhile, continued to dash cold water on the measure, saying the GOP plan "saves nothing for Medicare, does nothing to extend its solvency and adds no new protections for Social Security," as Senate Minority Leader Tom Daschle, D-S.D., put it. "They are returning to the failed approach of the 1980s that would put our economy at risk by providing an irresponsible tax cut that will explode precisely when the baby boomers retire."

Fed Chairman Greenspan was explicit in opposing a big cut now.

"I've said these (surpluses) are exceptionally beneficial to the economy, to economic growth, price stability, that the longer we can allow them to run and run down the debt outstanding ... the better off we will be," he said.

The Republicans were having none of that.

"This is a happy day," a rapturous Senate Majority Leader Trent Lott, R-Miss., said as the bill came to the floor, "a day when we're going to be talking about allowing the American people finally to get to have a little bit more control over (their) lives. ... They can keep their own money to look after their own children, without the government telling them how to do it. Oh, happy day!"

Gore touts bilingual education in Houston speech

By R.A. Dyer

Knight Ridder Newspapers

HOUSTON In a speech laced liberally with Spanish, Vice President

Al Gore told about 1,000 Hispanic leaders Wednesday that he supports bilingual education, opposes school vouchers and backs universal pre-school education.

Appearing before the annual conference of the National Council of La Raza, the Democrats' leading presidential contender also called for government action to save Social Security and Medicare and said Republican tax cut plans could doom both programs.

Gore did not directly mention Democratic presidential rival Bill Bradley or Texas Gov. George W. Bush the GOP front-runner although the vice president did belittle one of Bush's favorite campaign themes: compassionate conservatism. Likewise, Gore said a voucher system to help students attend private schools also supported by Bush would hurt public schools.

“What we need now is not an abandonment of public education by draining money away from public schools with ill-considered, ill-devised voucher schemes,” Gore said. “We should make a national commitment and go all-out to give access to high-quality pre-school to every child, in every family, all over the United States.”

Gore opened his discourse in Spanish, telling the crowd: “I’m here with you, because as you all know, I love and respect the Latino community.” It was the first of numerous Spanish-language comments by Gore, including a reference to himself as an “abuelito” or “little grandfather” which drew laughs.

The crowd generally responded favorably to his comments in Spanish, although applause seemed greatest when Gore took up educational themes. The vice president said the drop-out rate among Hispanic teens is unacceptably high, called for smaller classes, and said every classroom should have Internet access.

“We need revolutionary improvements in our schools, and we need them now,” said Gore. “We have to build new schools, modernize schools and treat our teachers like professionals.”

He tied improvements in schools and the strengthening of the Medicare system and Social Security to responsible tax cuts. He said Republican tax cut plans, which President Clinton has promised to veto, would hurt those efforts.

“We must keep the prosperity going but I want to do it the right way not by letting people fend for themselves, and hoping for crumbs of compassion,” said Gore. We must “resist the temptation to blow the entire surplus on some risky tax-cut scheme that puts back in the deficit.”

Gore also called for a more accurate census count, contending that the last 1990 Census undercounted Hispanics by more than 5 percent. Democrats have waged a partisan battle with Republicans over the issue, with Democrats saying the use of some statistical sampling would provide a more accurate population count especially of minority populations.

END

Have clout, will travel

Summer heat and humidity got you down? How about a weekend on Cape Cod or in the mountains — paid for by somebody else?

Winter too dreary? Fly off to Hawaii, Florida or southern California, courtesy of somebody who only wants to buy your influence.

One catch: You have to get elected to Congress or hired by a member of Congress, first.

Free travel paid for by special interests is a tax-free perquisite enjoyed — and abused — by key members of Congress and their staffs: airfare, lodging and other expenses at some of the world's favorite watering spots, paid for by those who want to bend government policy in their favor.

Both the Senate and House, reacting to corruption in their midst in the early '90s, ostentatiously tightened the rules on accepting gifts from lobbyists. Meals, football tickets and other freebies that used to be all too common on Capitol Hill are now severely limited by a \$100 annual limit per donor.

But behind the cleaned-up image, a gaping exception was left for "fact finding," "speech making" or "educational" travel.

Thus the American Association of Airport Executives, based right across the Potomac River from the Capitol and just down the road from one of the nation's most hectic airports, flew three House members and 11 aides to Hawaii in January. Sunny Hapuna Beach, instead of icy Washington, was the place to "educate" Reps. Martin Olav Sabo, D-Minn., Ron Packard, R-Calif., and Hal Rogers, R-Ky., and others about the needs of airports to tap the federal till, according to House records combed by The Associated Press.

The futures industry is centered in Chicago and New York, but it takes members of Congress, spouses and aides for expensive golf outings at Boca Raton, Fla. — to get better acquainted.

According to a computerized study by the watchdog *Congressional Quarterly*, private interests spent nearly \$3 million on more than 2,000 trips for leading members of Congress and their staffs in a 17-month period. One top aide, Leo Giacometto, managed to cram in 13 trips paid for by businesses and other organizations wanting the ear — and vote — of his boss, Sen. Conrad Burns, R-Mont.

Banks, utilities, communications companies, even foreign countries do it. Fronts closely linked to the governments of Taiwan, Singapore and Japan are among the top eight paymasters for congressional travel.

Some trips are businesslike quick-turnarounds for a luncheon speech to a convention or perhaps even legitimate fact finding that can't be done in Washington. But too many are contrived multi-day "forums" consisting of the odd attendance-optional panel at dawn or dusk with most of the day deliberately open for recreation on the special-interest tab.

Longtime congressman Lee Hamilton of Indiana, who retired this year after 18 terms with his image of integrity intact, was scorned when he tried to get the travel loophole closed. His proposal never even made it to committee.

In decades past, Congress was sharply criticized for overseas junkets at taxpayer expense. Far worse, however, is the acceptance of expensive travel as a thinly disguised gift from special interests.

Top 30 on others' tab

Key congressional users of privately sponsored trips for themselves and/or members of their staff in the period Jan. 1, 1998, through May 14, 1999:

Bill Archer, R-Texas, chairman, House Ways and Means Committee, 101 trips costing \$157,878.

William Roth, R-Del., chairman, Senate Finance Committee, 65, \$134,295.

Thomas Bliley, R-Va., chairman, House Commerce Committee, 116, \$133,505.

Bob Smith¹, R-Ore., chairman, House Agriculture Committee, 97, \$119,885.

Dick Arney, R-Texas, House majority leader, 66, \$96,397.

Newt Gingrich¹, R-Ga., House speaker, 39, \$92,037.

Larry Craig, R-Idaho, Senate subcommittee chairman, 64, \$86,349.

Frank Murkowski, R-Alaska, chairman, Senate Energy and Natural Resources Committee, 45, \$81,751.

Bud Shuster, R-Pa., chairman, House Transportation Committee, 67, \$79,239.

Tom DeLay, R-Texas, House majority whip, 41, \$79,208.

James Sensenbrenner, R-Wis., chairman, House Science Committee, 45, \$76,778.

Conrad Burns, R-Mont., Senate subcommittee chairman, 40, \$72,887.

James Jeffords, R-Vt., chairman, Senate Health-Education-Labor Committee, 56, \$66,621.

Orrin Hatch, R-Utah, chairman, Senate Judiciary Committee, 35, \$63,214.

Don Young, R-Alaska, chairman, House Resources Committee, 52, \$57,545.

Bill Goodling, R-Pa., chairman, House Education-Workforce Committee, 60, \$56,854.

Slade Gorton, R-Wash., chairman, Senate subcommittee 40, \$55,941.

Howard Berman, D-Calif., House committee ranking member, 19, \$53,794.

Larry Combest, R-Texas, chairman, House Agriculture Committee, 49, \$53,501.

Henry Waxman, D-Calif., House committee ranking member, 15, \$48,736.

Don Nickles, R-Okla., Senate majority whip, 28, \$45,846.

Pete Domenici, R-N.M., chairman, Senate Budget Committee, 29, \$41,439.

Paul Sarbanes, D-Md., Senate committee ranking member, 24, \$38,063.

Dan Burton, R-Ind., chairman, House Government Reform Committee, 37, \$36,423.

David Bonior, D-Mich., House minority whip, 34, \$35,685.

Fred Thompson, R-Tenn., chairman, Senate Government Affairs Committee, 29, \$35,664.

Floyd Spence, R-S.C., chairman, House Armed Services Committee, 13, \$34,600.

Richard Gephardt, D-Mo., House minority leader, 19, \$31,813.

Charles Stenholm, D-Texas, House committee ranking minority member, 21, \$30,647.

Daniel Patrick Moynihan, D-N.Y., Senate committee ranking minority member 23, \$30,431.

¹ — Now retired

Source: Congressional Quarterly computerized study of privately financed travel records of congressional leaders, committee chairmen and other key members

If members of Congress legitimately need to travel on business, they shouldn't be afraid to ask the taxpayer to pay for it. Posturing about rejecting gifts from lobbyists rings hollow as long as this shameless practice of freebie travel and recreation remains.

Why death tax hurts more than income tax

Nothing is certain except death and taxes.

— Benjamin Franklin, 1789

Paying taxes is a pain for most people. How much it hurts depends on several factors: age, income level, family status — most of all, whether you're dead or alive when the tax man cometh.

Congress and the Clinton administration are playing games with each other again over tax cuts. The two sides ultimately will concoct a political compromise. Dozens of tax cuts are being debated, but three that affect most of us the most are:

- ▶ The death tax
- ▶ Taxes on income
- ▶ The marriage penalty

The marriage penalty is a quirk in the law that has many working married couples paying more in taxes together than they would if they were single. Fixing that should be a given.

The debate over income tax cuts is whether low, middle or high earners should get the biggest breaks. From my perspective, that's pretty simple. Those of us fortunate enough to be in the top 1% of annual income (\$346,555 or more) don't need tax relief. That break should go to low- and mid-

dle-income earners.

The death tax is another story. It is the most unfair and most misunderstood tax of all.

A huge and growing number of substantial stockholders, owners of ever-more expensive homes, and family business operators now exceeds the outdated death-tax deduction. Then their estates are taxed at a usurious rate in the 50% range. It's a double tax, because income or capital gains taxes already have been paid on earnings used to build up an estate.

Only a surviving spouse can be given unlimited tax-free gifts when you die. That death tax hurts our children, grandchildren, other family members and friends. Certain as death is, the death tax certainly deserves to die.

FEEDBACK

Other views on inheritance taxes

"The death tax should be abolished because it represents a tax on the American Dream. It has forced families to part with their businesses and farms just to pay the tax collector instead of passing on the fruits of their labor to their children and grandchildren."

— Dan Quayle, former vice president and Republican presidential candidate

"Ninety-eight percent of estates are exempt from taxes. The current complaint of the very rich is an old wine in a new bottle, and greed is not a brand that has improved with age. The rules of estate reduction are simple: Give it away tax-free, up to \$10,000 per family member per year while living, or give it to charities when dead. New laws are simply not needed."

— Steve Protulis, executive director National Council of Senior Citizens

Al Neuharth's column appears on Fridays.

Stop turning kids into educated fools

My mother, a feisty Afro-Creole woman from the Louisiana bayou country, used to admonish me, "daughter, don't become just another educated fool." Now that she has passed on, I admit I did in time tumble into that gaping pit.

I was not alone. Our educational system nourishes "the educated fool," the person who scores high on standardized tests and abysmally low on the social and emotional skills necessary to create meaning in one's life. Students with high test scores who go on murderous rampages are extreme examples. Less dramatic but more widespread examples of profound student alienation contaminate even our most touted suburban schools with "designer" gangs, academic burnout and suicides.

Inner-city schools have their own problems. But their progress shouldn't be gauged — as it is by many educational reformers — by using standardized tests to compare their students to suburban "white" models. This kind of evaluation ignores the need to help our youth mature emotionally as well as academically.

Every decade or so, a new educational reform movement — "open classrooms," "self-esteem," "new math," "nontraditional grading" — emerges. It occupies our attention for a time, commands our tax dollars, delivers less than it promised and eventually fades into obscurity. What we need most is not another new theory of educational reform, but a moment of honest, societal reflection on exactly what we as a nation are training our youth to become.

If the meaning of life is the meaning we create in our lives, then our education prob-

lem is not that schools aren't sufficiently cutthroat in their quest for ever higher standardized test scores. It is rather that we have overemphasized the analytical skills that such tests measure while neglecting the nurture of our children's innate creativity and emotional development.

As a college professor, I remember with what dismissive and, well, haughty disdain I greeted the publication of Robert Fulghum's best seller, *All I Really Need to Know I Learned in Kindergarten*. But I have come to understand, appreciate and treasure his witty, penetrating insights into the nature of American life. Yes, kindergarten is indeed the key. I wish our entire education system used Fulghum's preschool model of "learn some and think some and draw and paint and sing and dance and play and work every day some."

I now know that the most precious and lasting gift that American education could bestow on our children as they prepare to enter this confusingly fast-paced and anxiety-ridden world is a sense of wholeness and balance. However, these priceless qualities only will emerge when our educators commit themselves to cultivating all of a young person's God-given talents, including those that are tragically overlooked in our present preoccupation with ever higher standardized test scores.

Constance Hilliard is an associate professor in the History Department of the University of North Texas in Denton.



PLAIN TALK

By Al Neuharth
USA TODAY FOUNDER



COMMENTARY

By Constance Hilliard

Students Are the Best Teachers

To the Editor:

Leon Botstein ("Making the Teaching Profession Respectable Again," Op-Ed, July 26) is right to argue that "we should disband the education schools and integrate teacher education into the core of the university." A better option would be to improve schools of education. Teachers need expert help, but often they do not get it from schools of education.

Why? Schools of education are separated from public schools by a wide gulf. Professors of education may have taught in public schools themselves, but this experience is usually quite distant.

Professors of education could better guide teachers if they had more up-to-date knowledge of public schools. One way to do this would be for schools of education to require members of their faculties to take sabbaticals working as teachers in public schools. HERBERT M. YOOD
Dorchester, Mass., July 26, 1999

To the Editor:

Leon Botstein says, "Nothing is more difficult than teaching fundamentals" (Op-Ed, July 26). True, but he also might have said, "Nothing is more important than teaching fundamentals."

Children who do not receive a good grounding in the basics rarely overcome the disadvantage. Richard

Mulcaster, a scholar and educator in 16th-century England, argued that the best teachers should teach the earliest grades, focusing on basic skills. Four centuries later, it appears that public educators in the United States still have not heeded this advice. JOHN W. CHUCKMAN
Portland, Me., July 26, 1999

To the Editor:

Re "When Idealism Sets Teachers Back" (letters, July 22):

The obstacles faced by teachers of students who require the additional help of summer school are many: a lack of supplies, last-minute scheduling and, most important, a delay in access to students' records.

With all the ugly criticisms of our teachers, we should remember that this profession requires a wealth of patience.

To be successful, teachers need to work in a partnership with parents. Parents can help, for example, by taking their children to the library, instead of plying them with video games and other distractions. Parents can also encourage their children to write thank-you notes for gifts and special occasions. A handwritten note by a child would not only aid in learning to write complete sentences, but also would be social training. DORIS BROOKS
Yonkers, July 24, 1999

Can Serb Opposition Force Milosevic Out?

To the Editor:

Re "U.S. Quietly Resuming Aid for Some Anti-Milosevic Groups" (news article, July 24): Recent news coverage of Serbia's opposition parties has revealed the rivalries and egos among established opposition leaders that may prevent real change. The opposition that President Slobodan Milosevic should really fear is a grass-roots movement, organized without public figures, political banners and television coverage. Such a movement might quietly gain momentum, and if Mr. Milosevic failed to detect it early he might have difficulty controlling it once it had grown.

Giving money to the known opposition groups may put some pressure on Mr. Milosevic, but it avoids the hard work of finding movements that could actually fracture his regime. MARK EDMOND CLARK
New York, July 25, 1999

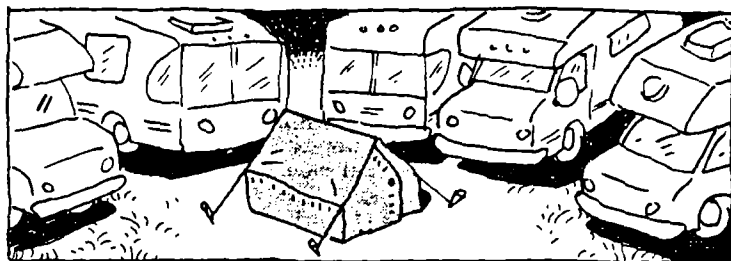
The writer is a visiting professor of sociology at the University of Banja Luka.

To the Editor:

Josef Joffe is among the wisest commentators on international affairs, but he misses a key point in his comments about NATO's intervention in Kosovo (Op-Ed, July 25). The bombing, in my opinion, was less about the humanitarian crisis engendered by ethnic cleansing than about the threat to stability in southeastern Europe presented by the aggressions of Slobodan Milosevic. NATO had a vital stake in stopping Mr. Milosevic, just as the West did in reversing Saddam Hussein's invasion of Kuwait.

Mr. Joffe is certainly right in his view that fighting an antiseptic war has its practical limits. Those limits were reached in the Iraq war as well. Such self-imposed constraints explain why both Saddam Hussein and Mr. Milosevic remain in power — but they do not contradict the decision to intervene, which was right in both instances. NORMAN I. GELMAN
Potomac, Md., July 25, 1999

Bargain Travelers Trample National Parks



Wesley Bedrosian

To the Editor:

It should come as no surprise that Yellowstone National Park is "broken" (front page, July 24). It has been broken for years.

Yellowstone and other national parks are virtually inaccessible to the average family. People of retirement age, who get a steep discount on admission costs to national parks, come en masse in their mobile motels, jamming the roads, filling up campgrounds and overloading everything from the shops to the restaurants to the bathrooms. Younger people bring drugs, alcohol, loud music, loud parties, cell phones and laptop computers.

There are two possible solutions: Accept the decline of our national parks or close the parks for 50 years and reopen them to minimum-impact hikers only. BILL HEINMILLER
Jefferson, Md., July 25, 1999

To the Editor:

You describe the national park system as facing a budget crisis in the face of rapidly increasing numbers of visitors (front page, July 25). Instead of national parks slugging it out with other Federal agencies to get additional money, why don't they

just charge a fair price to visitors and pay for their operations with that income?

The fee to visit Yellowstone is only \$20 a vehicle for up to 7 days. It costs more than that to take a family of four to a two-hour movie. Wouldn't something like \$20 a day be a bargain price for a car full of people to enjoy a national park?

This extra revenue would go a long way toward improving the park's infrastructure, and those who enjoy it would be paying for it. Paying for the national parks from a general fund is simply a subsidy to middle-class travelers. BOB OLIVER
Berkeley, Calif., July 25, 1999

To the Editor:

Re "National Parks, Strained by Record Crowds, Face a Crisis" (front page, July 25):

If people think our national parks are facing a crisis of overcrowding now, wait until baby boomers retire, sell their homes, cash out and take their new homes-on-wheels on the road to enjoy life and see the country. PETER KOHLSAAT
Duluth, Minn., July 25, 1999

Watered-Down Reform

To the Editor:

Your July 24 editorial "Campaign Reform Gains an Ally" expresses satisfaction that Senate leaders will allow amendments to the McCain-Feingold bill. "The opportunity to offer amendments," in your view, gives Senator John McCain "a chance to build the 60 votes needed to break the filibuster expected."

More likely, these floor rules give opponents the chance to destroy the bill with "poison-pill" amendments. Last year, the House amended its version to ban even small political contributions by legal, resident non-citizens, whose rights recent Congresses have eroded yet who can "vote" only with their checkbooks. Expect that mischievous amendment to return, along with other "solutions" to nonproblems.

Rather than expecting Congress to clean up campaign finance incrementally, reformers may want to consider the alternative strategy articulated last week by Bill Bradley, the Democratic Presidential candidate. He would hold out for more thorough reforms, like voluntary public financing of Congressional campaigns and free television time for candidates. MICHAEL KATZ
Berkeley, Calif., July 26, 1999

The New York Times

TUESDAY, JULY 27, 1999

New Head of Kenya Civil Service Offers Pledge to End Corruption

NAIROBI, Kenya, July 26 (AP) — Two days into his new job as head of Kenya's civil service, the paleontologist and conservationist Richard Leakey said today that he would work to end widespread corruption, inefficiency and nepotism.

"I believe that I have the support necessary to do what has to be done," he said at a news conference.

On Friday President Daniel arap Moi named Mr. Leakey, a third-generation white Kenyan whom he had earlier dismissed as "a foreigner and an atheist," to the high-profile job in a shuffle of the permanent secretaries, the civil servants who run ministries. Mr. Leakey was also named secretary of the Cabinet.

Mr. Moi, who has served since 1978, met today with all the permanent secretaries.

Mr. Leakey had been director of the Kenya Wildlife Service.

He is the first white Kenyan to run the civil service since the East African nation gained independence

from Britain in 1963.

Mr. Leakey said he would make few promises but insisted he would not compromise on corruption, inefficiency or interference from politicians.

"I think my personal concern is to remind my colleagues that I come from a tradition where I think public service is one of service — and the operative word is service," he said.

He said Mr. Moi had given him the mandate to do what has to be done, in accordance with existing laws and regulations, to sort out Kenya's bureaucratic and economic problems.

"The task is enormous," he said, adding that "the public and the international community have come to accept action rather than promises."

He said the civil service had to restore the public's confidence in an organization that was once quite efficient.

THE FRESH AIR FUND: 1877-1999

Mexican Opposition Runs Its Own Clean Election

By JULIA PRESTON

MEXICO CITY, July 26 — The opposition party that made its reputation by denouncing skulduggery has shown, on the second try, that it can hold a clean election of its own.

After voting on Sunday for president of the left-of-center Party of the Democratic Revolution, Senator Amalia García Medina was ahead in a preliminary count, with 54 percent of the vote. Her victory did not appear to be in doubt. Her closest rival had 27 percent.

The first election for party president, on March 14, was annulled after Ms. García and another contender, Jesús Ortega, a member of Congress, had finished within a few dozen votes of each other, and both sides charged fraud.

The failure of its first internal election to choose a leader was acutely

embarrassing to the party, which has based much of its appeal on exposing the rigging of elections by its main rival, the governing Institutional Revolutionary Party.

Many Mexicans are convinced that Mayor Cuauhtémoc Cárdenas Solórzano of Mexico City, the strongest leader of the Party of the Democratic Revolution, won the Presidential election in 1988 but had it snatched from him by fraud.

This time, Ms. García ran on a unity slate that included Mr. Ortega's followers, as well as her own.

But in a sign that relations in the party remain scratchy, the runner-up, Senator Félix Salgado Macedonio, stayed away from the news conference today where Ms. García discussed her victory.

Because Ms. García had the backing of Mr. Cárdenas, her victory virtually assures that the party will

choose him as its candidate for the Presidential election next year. But the election on Sunday, in which 500,000 of two million registered party members voted, showed that Mr. Cárdenas has much work to do to unite his party.

Ms. García said she strongly supported negotiations to forge an alliance between her party and the other big opposition group, the National Action Party, to run a single candidate. Polls and recent election results indicate that the opposition has little chance of winning if it does not form a coalition.

But to judge by the polls, Mr. Cárdenas may be the likely candidate to make way for the candidate for the National Action Party, Vicente Fox Quesada. In a poll published today by the Reforma newspaper, Mr. Cárdenas was preferred by 12 percent of the voters interviewed.

The New York Times

TUESDAY, JULY 27, 1999

Massacre at Gracko

GRACKO TAKES its grim place in the long line of scenes of Yugoslav tragedy. Men widely presumed to be ethnic Albanian Kosovars killed 14 Serbian farmers taking in hay in this Kosovo village south of Pristina. It was the worst atrocity committed in Kosovo since NATO peacekeepers arrived six weeks ago. The murders underscored the fragility of the international effort to settle down Kosovo and the difficulties of creating conditions to retain the panicked Serbian minority.

The 34,000 NATO peacekeepers (not counting 1,500 Russians) currently on the ground in Kosovo yearn to abandon a mission for which they are neither trained nor culturally prepared. But their intended civilian replacements—an international police force of 3,100 people and a new Kosovo police service of 3,000 to 4,000—will necessarily be months in the forming and training. This gap breeds the friction between international and alliance elements on the neuralgic policing issues.

Armed British peacekeepers were within earshot of the guns of Gracko and could not halt the massacre or nab its perpetrators. From the serenity of several thousand miles'

distance, it is easy to say that everyone should do his job quicker and better. The fact is that soldiers are not cops: They do not have the same necessarily close relationship to the local community. That makes Frenchman Bernard Kouchner a key international figure in Kosovo on a plane with Gen. Wesley Clark, the American military commander. He has a U.N. mandate in effect to reinvent Kosovo from the ground up as a well-ordered democratic society. But as Bosnia's painfully slow and irregular evolution shows, this will take time.

In the interim, the impatient soldiers and the coming police must accept as their duty to keep Kosovar Albanians from taking random revenge against Kosovar Serbians, whose already greatly reduced prewar number of 200,000 is now down to about 50,000, and shrinking. If others do not come through, the remaining Serbians have a fair claim to ask protection from Russians serving with the NATO peacekeepers. For NATO countries to do less than they might to give priority to frightened and vulnerable Serbs is to become an accessory to "ethnic cleansing," source and continuing scourge of the war.

Education Battle

THE MAIN forms of federal aid to elementary and secondary education are due to be reauthorized in this Congress. Republicans are trying to use the occasion to shift more control of the programs from the federal to the state and local levels. The familiar debate has less to do with education than with federal government. Critics emphasize, and exaggerate, the burdens and dangers of federal regulation of the schools, while defenders overstate the likely gains. The schools become a backdrop for the fight over the federal role in national life in general.

There is one respect, however, in which this mostly stale debate does have serious educational ramifications. Most federal aid to education is supposed to be concentrated on the poor, and under current law, state and local officials are supposed to be held accountable for the use of the money to improve the academic performance of disadvantaged students from lower-income homes. Any easing of federal regulation, whatever other effects it may have, bears the burden of proof that it will not result in a shift of resources away from lower-income children. The current Republican proposal fails to meet that test. The main proposal creates too great a risk for no good reason, and the president is right to threaten a veto if it is sent to him in its present form.

The federal government pays only about 7 percent of the cost of elementary and secondary education, and the regulations governing the use of the federal aid already are looser than much of the surrounding rhetoric would suggest. The whole debate is thereby overblown. It is fanciful to suggest, as the one side sometimes does, that the feds are threatening to take over the schools. It is equally wishful to imply, as the other side tends to do, that the feds have leverage enough to influence state and local educational policy except on the margin. Elementary and secondary education is, like crime, essentially a state and local issue

on which the national politicians are fated mainly to posture.

Example: The House two weeks ago passed a bill having to do with teachers, the first installment of the broader legislation the Republicans hope to enact. There has long been a federal teacher training program. A couple of years ago, the president added a program to help recruit more teachers to reduce class size, particularly in the lower grades. The Republicans proposed to combine the two and let localities decide how to split the money between retraining older teachers and hiring new ones. The president threatens to veto the result, because his hiring program would be blurred, though it would not quite disappear. Here's a fight, partly over the political ownership of a program, partly over a modest loss of focus in return for a gain in flexibility. It is less momentous than either side suggests.

The important fight will come later in the year over a proposal to let states merge all the programs, including the main one for the poor, if they wish. They could spend the money largely as they liked for five years, in return for a promise to improve performance. For at least the five years, some of the money now saved for the poor could be spent elsewhere. The accountability provisions in current law—the pressure on school districts, principals and teachers to produce gains in achievement—would likewise be weakened in some respects, though strengthened in others.

Here it seems to us the risk of loss of focus is greater than any likely gain, particularly given the history of state and local officials in trying to dilute aid to the poor by converting it to general aid. It's possible to increase state and local discretion without easing the federal insistence that the money be used on behalf of the poor. That's what the legislation ought to shoot for.

Boris Fyodorov

Loans to Russia? A Russian 'Nyet'

MOSCOW—For the past six years our governments have been living from one International Monetary Fund infusion to the next. In the first stage we are short of money and hold hasty talks with the IMF. Next, we receive the money with after considerable difficulty. Then we forget our promises, get into a crisis and ask for money again.

The Russian authorities have learned the craft of pulling the wool over the eyes of the West, and the West has learned to pretend not to notice it. For political reasons, the West periodically tosses money at us. The main idea is to keep us quiet and non-threatening. The West does not believe that any economic reforms are underway in Russia, and so it simply aims at producing the appearance of decency with the help of the IMF missions and negotiations.

It should be recognized honestly that we have lost six years, increased our debt by \$20 billion to the international financial organizations alone and have completely failed to conduct reforms. And now we ask to write off part of the debts. We want to get new credits, but in fact we are not planning to reform anything. Yet another gift of charity from the West does not solve a single problem apart from producing the overall image of something positive going on. Is this worth increasing our debt?

The problem of our budget consists of collecting taxes and other debts. This requires strong fiscal bodies and a true tax reform—that is, the establishing of order. At the same time, we cannot have a realistic budget, because no one in Russia can predict the level of inflation or the currency rate. It is impossible to expect that economic activity will grow under the current conditions of instability and lack of encouragement. The circle closes.

Still, with today's level of federal revenues we have no funds for the army, law-enforcement bodies, education or health care. It becomes increasingly obvious that the state is falling apart and is not coping normally with its most elementary functions. Periodic financial injections from the West delay only slightly the need to take decisions that are a matter of principle.

This is how we have been living since the days of Mikhail Gorbachev: They give us



money for reforms, and we immediately lose motivation to conduct these reforms. Fighting corruption, tax and pension reforms, restructuring of industry, eradication of the system of barter and nonpayments, unemployment, agrarian problems—all these issues and many other questions must be resolved today. But this calls for the political will to stop seeing things in terms of "surviving another week, holding on for another month."

The new government has been in charge for two months now, and it still has no economic program of its own. We hear nothing apart from words about continuation of the course of Yevgeny Primakov, who did not have a program either. The attempts to formally satisfy the IMF demands resemble the attempts of a schoolboy to make the quiz results match the table at the end of the textbook.

One cannot help seeing the dead-end nature of today's situation. If it hadn't been for the four-fold devaluation of the ruble and the increase of oil prices, our country would be

standing on the brink of a crash. Today we get gigantic profits from exports, but we do not collect taxes and do not pay our debts. The shadow economy is at least equal to the legal one, capital flight is measured in billions of dollars, and the amount of cash dollars circulating in Russia is several times larger than the overall ruble mass. Had we had a reasonable economic policy, we would be able to repay all the foreign debts and to build up the budget.

I am certain that the prime minister should address the IMF and reject any new credits until the moment when we have a real plan of action and have started carrying it out. In a similar situation in August 1993, as the finance minister, I refused to receive an allotment of the IMF loan, and I am proud of it. The shame should be on those who dragged Russia into a debt dungeon. Getting new credits today is absolutely against the national interests of Russia.

The writer is a former finance minister of Russia.

The Washington Post

TUESDAY, JULY 27, 1999

Honor Africans for more than just pro-West policies

President Clinton abruptly cut short a weekend fund-raising trip in Colorado to attend the burial of Morocco's King Hassan II. Former President Bush and a high-powered American delegation that included two former secretaries of state, Warren Christopher and James Baker, also attended ("Leaders mourn Moroccan king," News, Monday).

The same level of respect was accorded to Egyptian President Anwar Sadat, following his assassination.

The irony is that America honored these Arab-African leaders solely because of their pro-Western policies, their efforts in promoting peace in the Middle East and their friendly gestures toward Israel.

On the African continent, King Hassan's legacy was that of absolutist monarchy with annexationist ambitions over Western Sahara. When shall African leaders merit such honors solely for their African and worldly achievements?

There are no easy answers, and the picture looks grim for the more than 50 African government leaders in this regard.

Currently, the only standouts are South Africa's Nelson Mandela for his anti-apartheid efforts and Ghana's Jerry Rawlings for revamping his West African country's economy and instituting democratic reforms. A few others also merit international respect.

Most of the rest of Africa's leaders are

iron-fisted military or civilian dictators who thrive on the politics of bloodshed, tribalism or territorial divisions.

Others are foreign aid-dependent leaders on whom the U.S. and its Western allies call whenever Western interests are threatened in their regions.

Africans and the world hope that King Hassan's son and successor, King Mohamed VI, will forge a more Afrocentric, democratic legacy.

Nonetheless, his father's 38-year reign is remarkable on a continent bedeviled by political instability, overthrow of governments and assassination of leaders.

Igonikon S. Jack
Baton Rouge, La.

'Pie' is slice of real life

I do not believe teens just went to see the movie *American Pie* because it's R-rated. It's a movie that most teen-agers can relate to because it deals with a lot of situations we encounter on a daily basis ("Teens smack 'Wild West' with an R-rated 'Pie,'" Life, July 12).

On the other hand, *Wild Wild West* is an action-adventure film that deals with fantasy instead of reality. Moreover, *American Pie* is a comedy, and teen-agers do like to laugh — not watch violence all the time.

The article also says more teen-agers sneak into R-rated movies than movies of other ratings. If this is such a big problem, theater managers should have employees check patrons' IDs when they purchase tickets and enter the screening room.

While the movie is playing, an employee can stand guard at the door. This will make it harder to sneak in to an R-rated movie. But let's not forget the PG and G-rated movies that teen-agers sneak in to see. No one would want that to happen.

Christy S. Dunston
Bunn, N.C.

Syria offers nothing

I don't understand all of the excitement about Israel making peace with Syria ("Israel's Barak confident in success of peace talks," News, Friday). There already is a peace; the border has been quiet since 1973. This peace exists because Israel's possession of the Golan Heights creates a balance of strength in the area.

Furthermore, what is to be gained for Israel from an "official" peace with Syria? Does Syria produce any noteworthy technology or culture that Israel should desire? Syria is an underdeveloped, corrupt military-run state whose citizens are inculcated from birth with hate for Israel.

Lastly, where and when did Syria receive the "divine right" to the Golan Heights? The pre-1967 borders were based on how France and England divided up the Middle East in pre-World War I days. Syria gambled that it could conquer Israel in the 1967 and 1973 wars, and it lost both times.

Under the threat of being overrun, Israel conquered the Golan Heights in 1967 and held it in 1973. If anyone has legitimate rights to the Golan Heights, it is Israel.

Scott Mondrow
New York, N.Y.

Raise school standards

I disagree with the contention in USA TODAY's recent editorial that reducing the racial gap in academic achievement should be our No. 1 priority for education ("Education's racial gap widens," Our View, Improving schools debate, July 20). My reasoning:

► Achievement standards for both teachers and students are the most important issue in our public schools. There has been a decline in education standards over the past several decades. This must be reversed.

► Federal money will probably not greatly improve education standards, to judge by experience.

► The Democratic Party and the National Education Association, which advocate large infusions of federal money into our public schools, are not committed to implementing higher standards for teachers in public schools. Yet they will have their way in how federal money is used in public schools.

What is needed is leadership at the local level demanding higher academic standards from both teachers and students. This will do more for academic achievement for all racial groups than increasing federal funds for public education.

James L. Kurtz
Idaho Falls, Idaho



By Nikola Solic Reuters

Checkpoint: A Canadian NATO trooper checks Kosovar Albanians Monday in the wake of the killing of 14 Serbian farmers near the Kosovo village of Gracko.

'Ethnic cleansing' hasn't stopped in Kosovo

The leaders of NATO are finding out that it is just as hard to maintain the peace as it was to bomb a nation into submission.

The murder of 14 Serbian farmers serves as the most recent reminder of that fact ("Security tightened in Kosovo after 14 Serb farmers slain," The World, News, Monday).

The United Nations regrets that this happened. NATO is sorry.

All British Lt. Gen. Mike Jackson could say is "we can't be everywhere all the time."

The people of Gracko, the Kosovo village that was the site of the massacre, say they asked the British for protection while their men harvested the wheat. NATO ignored their pleas, they say.

What a difference two armed British soldiers in a vehicle with a radio might have made. Just two soldiers with the means to call for reinforcements to act as a deterrent.

After all, deterrence was NATO's primary mission during the Cold War.

But one can't totally blame Jackson, commander of NATO peacekeeping forces in Kosovo. NATO promised that it would put 50,000 men in Kosovo to keep the peace and protect the people on both sides.

More than a month has passed since the end of the bombing; the force consists of 36,000 men. There are no projections as to when the remaining forces will be in place.

Meanwhile, there are almost daily attacks on Serbs, their property and churches.

Yet, United Nations and NATO officials ask Serbs to stay and not leave Kosovo. They ask them to be patient.

Why should they?

Various NATO leaders promised that NATO would help rebuild Serbia once the bombing stopped. But they won't do so until Serbia's president Slobodan Milosevic is removed from power.

Once Serbian troops had withdrawn and NATO had control, a small Serbian force was to be allowed back into Kosovo. But NATO isn't anxious for that force to return.

The genocide and ethnic cleansing in Kosovo hasn't stopped. It's still going on today. Only now it's happening on NATO's watch. Every leader of a NATO nation is equally to blame for these deaths. They promised to protect all the people of Kosovo. The murder of 14 men in Kosovo shows this to be another broken promise.

NATO ought to get serious about the business of keeping the peace in Kosovo, with fewer than 2 million people, and do what is necessary. It's sad to think that the combined military might of the 19 nations of NATO can't prevent the murder of 14 farmers. If NATO isn't committed to keeping the peace in Kosovo, then it ought to get out completely.

Ed McCool
Fort Eustis, Va.

For more donations, keep organs close to home

USA TODAY's article on organ transplants and the problems with the system of sharing organs provided valuable insights into the tragic consequences of the shortage of donated organs ("Organ transplant system faulted," Cover Story, News, July 20).

However, advocates of a national system for distributing organs may be overlooking one critical factor: Donor families generally prefer to keep the organs in their own communities.

In research conducted here and elsewhere, family members show a greater willingness to donate organs of a loved one when assured that the organs will stay in the local community.

This desire is particularly strong in minority populations, groups that are already resistant to organ donation.

Therefore, efforts to create a national distribution system for organs actually may have an unintended negative impact

on the rates of donation.

This is an issue that clearly needs more research before any changes are made in the current system.

James Shanteau, director
Organ Donation Laboratory
Kansas State University
Manhattan, Kan.

To comment . . .

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McCaffrey calls for increased aid to anti-drug forces in Colombia

By Jared Kotler
The Associated Press

BOGOTA, Colombia — Washington's top anti-drug official pushed for increased military aid Monday to fight rebels in Colombia, where rescuers tried to reach what might be the wreckage of a U.S. spy plane lost on an anti-narcotics mission.

Visiting the world's No. 1 cocaine-producing country, Barry McCaffrey said peace talks to end the nation's 35-year conflict would only work if Colombia's security forces were strengthened against the threat of "narco-guerrillas."

"The United States has paid inadequate attention to a serious and growing emergency," he told reporters after meeting with President Andres Pastrana.

He said America should provide more battle helicopters and training for Colombian military and police units.

The missing de Havilland RC-7 plane, packed with sophisticated radar and eavesdropping equipment, apparently slammed into an uncharted mountain in bad weather, likely killing the five American soldiers and two Colombian air force officers on board, McCaffrey said. It was reported missing Friday.

The names of the three American officers and two enlisted men based at Fort Bliss in El Paso have not been released.

Low cloud cover and rugged terrain have prevented searchers from reaching the site in southern Putumayo province.

"It's extreme terrain," said Steve Lucas, a spokesman for the Southern Command in Miami.

Lucas said specially trained searchers could jump from aircraft, be lowered by ropes or hike up to the wreckage lodged high on a mountainside.

The plane dropped off radar screens as it circled over Putumayo, a major drug-cultivation area dominated by the rebel Revolutionary Armed Forces of Colombia, or FARC.

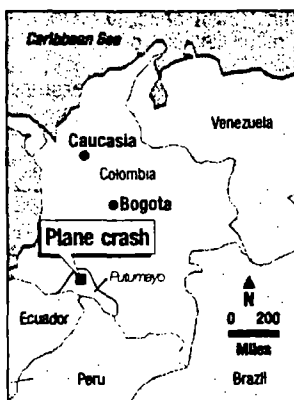
It was gathering intelligence on a "routine" counternarcotics mission, the Army said.

The United States uses satellites, radar installations and overflights to collect data on illegal coca and opi-



By Scott Dalton, AP

Drug war: Members of a Colombian anti-drug force fly over the jungle as a cocaine lab burns in the background Saturday near Cauca.



USA TODAY



Agence France-Presse

Colombian talks: Colombian President Andres Pastrana, foreground, directs Barry McCaffrey to his seat.

um plots and traffickers' movements — part of an aid program valued at nearly \$300 million this year. Much of the aid has provided crop-dusting planes and the armed helicopters that escort them on fumigation missions.

Despite record spraying, those crops have doubled since 1996, with the most explosive growth coming in areas where the FARC presence has limited operations. The 15,000-member rebel group partly finances itself by taxing drug production and protecting traffickers' laboratories and airstrips.

Last week in Washington, McCaffrey proposed major additional U.S. counternarcotics aid to Colombia and its Andean neighbors. More than a third of the nearly \$1 billion pack-

age would go to beef up the Colombian army and police, so they can conduct anti-narcotics operations in FARC-dominated areas.

His plan also includes aid to the judiciary, and \$60 million for programs to wean small farmers off drug crops.

Though American officials insist U.S. aid is for fighting drugs, not rebels, the dividing line is blurring as rebel groups become more involved in drug trafficking.

Peace negotiations begun in January are going slowly, amid doubts about the FARC's sincerity. Hoping to increase pressure on the rebels to negotiate, Pastrana sent a representative to Washington recently to lobby for an additional \$500 million in military aid.

How the First Lady Could Really Help the City

By RUDOLPH A. PYATT JR.
Washington Post Staff Writer

First Lady Hillary Rodham Clinton continues to be an effective advocate for the District, articulating the need to rebuild its infrastructure and repair its economic fabric.

Recently, she urged Congress to approve an additional \$100 million in federal funds for the District next year. As she explained last week, the president included the extra \$100 million in his proposed budget for fiscal 1999. The money would be spent on economic development and a Metro station at the proposed site of the new convention center at Mount Vernon Square.

No first lady in recent memory has shown as much interest in District matters, especially in those relating to its economic well-being. But the District's economy and its financial health are more fragile than Mrs. Clinton and the president seem to realize.

Moreover, those advising the president on District issues don't seem to have a clue as to the city's underlying problems and how they have evolved.

Granted, the White House played a crucial role last year in helping the District avert financial collapse by putting together a rescue package that included a federal takeover of some city functions. But the city was forced to give up the long-standing annual federal payment in exchange for the government's assumption of responsibility for some D.C. government functions.

That initiative by the White House provided solutions to some of the District's more pressing fiscal problems. But an emergency rescue package and an occasional \$100 million contribution from the federal government can't possibly solve the more serious long-term problem: declining revenue.

Simply put, the District needs more permanent and reliable sources of revenue to offset the loss of jobs, businesses, population and tax revenue.

The president should at least push for restoration of the federal payment, based on a percentage of locally generated revenue or some other formula. The last federal payment, in fiscal 1997, was \$665.7 million, or about 20 percent of all revenue raised in the District, according to the D.C. Tax Revision Commission.

Even as the president seeks a \$100 million contribution for the District, there are disturbing signs that the city's economy still isn't generating the kind of growth that will improve revenue.

Job growth between February and March of this year showed a slight

improvement over the previous month-to-month period. But between March 1997 and March 1998, job growth in the District was a minus 1.2 percent, with increases occurring only in manufacturing, services and finance, insurance and real estate. Even so, growth in each of those sectors was less than 1 percent for the period.

The District's economy lost 4,300 jobs between January 1997 and January 1998, according to the D.C. Department of Employment Services.

And if that wasn't bad enough, consider the fact that the National Association of Securities Dealers is contemplating moving from the District some of the 600 jobs it has here, and perhaps its headquarters.

Another temporary federal aid package won't make up for the economic loss that would result from such a move.

Serious management problems, waste and a bloated bureaucracy figured prominently in the District's recent fiscal crisis. But, given the extent of erosion in the tax base that began with the loss of business and population at least 30 years ago, a fiscal meltdown was inevitable.

Other cities can at least rely on receiving their share of revenue from their respective states as supplements to locally generated funds. Moreover, unlike state governments, the District is prohibited by Congress from taxing the income of nonresident workers.

Although not as onerous as that ban, depriving the District of the federal payment is just as punitive.

If the first lady truly wants to be an advocate for the District, perhaps she will consider some recommendations contained in the D.C. Tax Revision Commission's recent report to the mayor and D.C. Council.

The federal government can provide "revenue certainty" to the District by making a payment in lieu of taxes for federally owned buildings and on properties that the government has exempted, the commission suggested. The commission also further recommended that there be a federal payment based on some formula if the government refuses to lift the ban on taxing nonresident income.

A recent recommendation by D.C. Applesseed, a nonprofit public interest group, is equally compelling. D.C. Applesseed suggests that the District is economically dependent upon the federal government. Thus, the organization recommends that a federal agency be required to prepare an impact statement before it is allowed to move from the District.

If Mrs. Clinton is truly interested in being an advocate for the District, she should consider those recommendations and lobby for their acceptance by the president and Congress.

The Washington Post

MONDAY, MAY 11, 1998



THE STATE EDUCATION DEPARTMENT/THE UNIVERSITY OF THE STATE OF NEW YORK/ALBANY, NY 12234

DEPUTY COMMISSIONER
OFFICE FOR ELEMENTARY, MIDDLE, SECONDARY AND CONTINUING EDUCATION
ALBANY, NY 12234

February 1998

TO: All Teachers and Administrators in Public and Nonpublic Schools

FROM: James A. Kadamus

SUBJECT: Update on the Learning Standards and State Assessment System

The attached information on the learning standards and new State assessment system is being sent to all teachers and administrators in public and nonpublic schools in the State. It is being sent to all nonpublic schools although we acknowledge that implementation of the learning standards and new assessments in nonpublic schools is still under discussion.

This update addresses the following questions:

- What's new about the learning standards and State assessment system?
- How will new examinations be developed?
- What do you need to know about subjects with required Regents examinations?
- What about assessments in other subject areas?
- What assistance will be provided for teachers?
- How can you learn more?

It is critical that teachers and administrators be aware of the changes and timelines for implementing the new State assessment system. In addition, you need to be aware of materials that will be sent to schools on implementing the new learning standards and assessments. For example, one year prior to the first administration of new tests, only two copies of test samplers will be sent to schools. Teachers need to be aware of when those materials will be received by the school.

The update contains much of the information that schools and teachers have requested. The following page includes a list of materials to be distributed during the school year that will provide more specific information on the assessments. As more details become available and additional timelines set, they will be disseminated to all school districts. We encourage schools to share the information with students, parents, school boards, and other interested parties.

For additional information, you may visit the Department's website at www.nysed.gov or write to the Office of Curriculum, Instruction and Assessment, New York State Education Department, Room 675 EBA, Albany, NY 12234. You may also wish to tune in to the teleconference on State assessment on February 24, 1998, from 3-5pm.

Enclosure

What You Need to Look For This School Year

Pilot test — experimental testing of items for research and development

Pretest — groups of test items tried out in schools for use on future examinations

Field test — complete forms of proposed tests tried out in schools for use as future examinations

Test sampler draft — booklet containing draft of sample test, directions for administration, and scoring guides

WHO	WHAT	WHEN	NOTE
Selected schools participating in Grade 4 English language arts field test	Field test forms will arrive at schools. Field test will be administered in selected classrooms.	January 19-23 January 26-30	Field test items are SECURE items. Strict procedures for security and confidentiality must be observed.
All schools with Grade 4 and/or Grade 8	Two copies of the Test Sampler Drafts for English language arts and mathematics will be delivered to each school. Schools will make copies for teachers. Informational Brochure for Grades 4 and 8 English language arts and mathematics. Translated versions (Spanish, Haitian Creole, Russian and Chinese) will be sent to schools with students who are native speakers of those languages. We recommend distributing brochures to parents of current 3rd and 7th grade students.	February 1998	The sample tests are NOT SECURE . They may be duplicated for use as a practice test in classrooms and for staff review and professional development.
Selected schools participating in Grade 8 English language arts and Grades 4 and 8 mathematics field tests	Field test forms will arrive at schools. Field tests will be administered in selected classrooms.	May 4-8 May 11-15	Field test items are SECURE items. Strict procedures for security and confidentiality must be observed.
Selected schools participating in pilot testing of new test forms	Administration of sample pilot test items in a variety of subjects (science, social studies, mathematics/science/technology, and others) will occur in volunteer schools. These are separate items and partial tests, not complete tests.	May 1998	Pilot tests are NOT SECURE . They may be duplicated for use in additional classrooms and for staff review and professional development.
Selected high schools participating in pretesting for new Regents examinations	Comprehensive English, Mathematics A, United States history, and Global history pretest forms will be administered in selected classrooms. (Pretesting for current Regents exams will continue as scheduled.)	May 1998	Pretest forms are SECURE items. Strict procedures for security and confidentiality must be observed.
All high schools	Two copies of Test Sampler Drafts for the revised Regents Comprehensive English and Mathematics A will be delivered to high schools.	June 1998	The sample tests are NOT SECURE . They may be duplicated for use as a practice test in classrooms and for staff review and professional development.

What's New About the Learning Standards and State Assessment System?

- The 28 New York State learning standards in the seven subject areas are linked to curriculum and new assessments through classroom practice and student performance results.
- The new tests are aligned across grade levels (elementary, middle, and high school).
- The Grades 3, 5, and 6 Pupil Evaluation Program (PEP) tests in mathematics, reading, and writing, and the Grades 8 and 9 Preliminary Competency Test (PCT) in English are being replaced by new tests given in Grades 4 and 8. May 1998 will be the last administration of the Grade 3, 6, and 8 tests. May 1999 will be the last administration of the Grade 5 writing test.
- The Grades 6 and 8 Program Evaluation Tests (PET) in social studies are being replaced by new tests at Grades 5 and 8.
- The alignment of revised graduation requirements with the learning standards and new assessments provides the structure for ensuring that all students have the opportunity to reach the higher standards. The new graduation requirements will be put in place with the class entering ninth grade in 2001.
- The Regents Competency Tests are being phased out during the period 1999-2004. During that period, local schools may use 55-64 as the passing score on Regents examinations to meet local diploma requirements. A passing score of 65 is required for a Regents diploma.
- For students entering ninth grade in 2000, the passing score on Regents examinations in English and social studies will be 65 for either diploma.
- Students entering ninth grade in 2001 will be the first class of students who must take and pass five Regents examinations with a score of 65 in order to graduate. The required examinations will be English, mathematics, global history, United States history, and science.
- The administration time for examinations varies, e.g., three class periods, two 60-minute sessions, one three-hour session, two three-hour sessions. The charts included in this document show the proposed administration time for each examination.
- In some subjects, students may be required to complete extended tasks (e.g., research report) prior to taking State examinations. The tasks will be administered according to State guidelines and scored according to State rubrics. Extended tasks will be phased in by 2004.
- An extensive test development process, including piloting and pretesting of new test forms, is under way.
- Students with limited English proficiency entering school in this country in Grade 9 or later may take required Regents examinations, other than English Regents, in their native language, where available.

How Will New Examinations Be Developed?

- Committees of teachers, testing specialists, and subject specialists produce the framework and criteria for examinations and ensure they are linked to performance indicators in the learning standards.
- Teachers and testing specialists help in developing test questions, and schools volunteer to try out the test items.
- Test questions are produced in a variety of formats (multiple-choice, short-answer, essay) based on the test specifications.
- Test questions are reviewed by teachers, administrators, parents, and business and cultural representatives for accurate representation of standards, freedom from bias, and suitability of content.
- A statewide sample of schools pretest groups of test questions and field test complete tests.
- Test sampler drafts are produced based on pretest results and distributed statewide with benchmark student papers one year prior to test administration.
- All revised examinations will be reviewed by expert panels to insure that they are aligned with the standards and appropriately rigorous. Only when the revised examinations meet those criteria will they be approved by the Commissioner for use in schools.

Testing Variances

- Existing testing variances for required Regents examinations continue until the corresponding revised Regents examination is in place.
- After the revised examination is in place, the Department will no longer grant testing variances for required State examinations. A process for approving alternatives to required Regents examinations is described below.

Approved Alternatives to Regents Examinations

The Commissioner will appoint a State assessment panel to review examinations proposed as alternatives to the required Regents examinations and make recommendations. All approved alternatives must meet the following criteria:

- Be aligned with New York State standards for that subject and be at least as rigorous as the corresponding required Regents examination;
- Meet technical criteria for validity, reliability, and freedom from bias; and
- Be externally developed and administered under secure conditions.

School districts interested in using an alternative to a required Regents examination may submit a request to have the examination reviewed by the State assessment panel. All approved examinations will be available for use by any school in the State.

What Do You Need to Know about Subjects with Required Regents Examinations (English Language Arts, Mathematics, Social Studies, and Science)?

English Language Arts

Grade Level	Administration Time	Core Outline Distributed	Test Sampler Distributed	Secure Field Test	First Administration
Elementary Grade 4	Three class periods (40 minutes each)	February 1998	February 1998	January 1998	January 1999
Intermediate Grade 8	Two sessions (60 minutes each)	February 1998	February 1998	May 1998	June 1999
English Comprehensive Regents Grade 11 (Or any time before graduation)	Two three-hour sessions	February 1998	Spring 1998	January 1998	June 1999

Grades 4 and 8 examinations will include reading passages with multiple choice questions, reading and listening passages with written responses, and independent writing samples. Grade 8 reading and writing will be based on content from the social studies learning standards.

The Regents examination will include four sections: a listening passage with comprehension questions and essay; technical reading and writing using multiple sources of information; reading of literary and expository pieces with comprehension questions and a literary essay; and a literary analysis. An extended task is being developed for future use.

Revised Regents Comprehensive Examination in English

Task 1

Text: Excerpt from Greenberg, Jan and Sandra Jordan. *The Painter's Eye: Learning to Look at Contemporary American Art* (Chapter 1). Delacorte Press, 1991.

Directions to Students: For this part of the test, you will listen to a lecture about modern art and then write a response based on the situation described below. You will also need to answer some multiple-choice questions about key ideas in the lecture.

The Situation: As part of your summer job at a local art museum, your responsibility is to help visiting high school students appreciate modern art. To prepare for this role, your supervisor has asked you to attend a lecture on modern art. Then you will use relevant information from the lecture to write the guidebook you will give to visiting high school students before they view the modern art gallery in the museum.

You will hear the lecture twice. You may take notes on the sheet provided at any time you wish during the readings.

Your Task: Write the visitor's guidebook you will give to high school students to help them appreciate modern art.

Guidelines:

- Tell your audience what they need to know to help them appreciate modern art
- Use specific, accurate, and relevant information from the lecture to support your discussion
- Use tone and level of language appropriate for a guidebook
- Organize your ideas in a logical and coherent manner
- Be sure to indicate any words taken directly from the lecture by using quotation marks or referring to the speaker
- Follow the conventions of standard written English

Sample Multiple-choice Questions

Directions: Use your notes to answer the following questions about the lecture. The questions may help you think about ideas and information from the lecture that you might want to use in your writing. You may return to these questions anytime you wish.

1. Who do you think is the intended audience for this lecture?
 - 1.* people who are confused by modern art
 2. people who are experts in modern art
 3. anyone who goes to an art museum
 4. anyone who understands modern art
2. According to the speaker, what is the most important step in developing a responsive eye?
 1. having a personal reaction to the painting
 2. understanding the subject of the painting
 3. naming the basic elements of painting
 - 4.* considering the expressive quality of the painting
3. The speaker's references to Frankenstein's monster at the beginning and end of the lecture reinforce the idea that knowing how to look at modern art can help the viewer to
 1. create works of art
 2. like modern art more
 - 3.* make more informed judgments about art
 4. imagine the artist's feelings about art

Task 2

Text: Excerpt and chart (adapted) from "Earnings and Education" in *The Forgotten Half: Pathways to Success for America's Youth and Young Families*. The William T. Grant Foundation Commission on Work, Family, and Citizenship. November 1988.

Directions to Students: Read the article and chart, answer the multiple-choice questions, and write a response based on the situation described below.

The Situation: Your school newspaper is planning a special issue on the importance of staying in school and receiving a diploma. Your assignment is to write an article on the relationship between the level of education a person has and future earnings.

Read the article and chart. Then use relevant information from the documents to write your own article.

Your Task: Write an article for a special edition of the school newspaper explaining the relationship between the level of education and earnings.

Guidelines:

- Tell your audience what they need to know about factors that influence the general trend in income
- Compare the elements in the pattern of change as it relates to the groups reported
- Include specific, relevant, and accurate information from the text and chart
- Use a tone and level of language appropriate for an article in a school newspaper
- Organize your ideas in a logical and coherent manner
- Be sure to indicate any words taken directly from the article by using quotation marks or referring to the author
- Follow the conventions of standard written English

Sample Multiple-choice Questions

Directions: Use your understanding of the text or chart to answer the following questions. The questions may help you think about the ideas and information you might want to use in your article.

1. What is the purpose of the article?
 1. to show the improving economic outlook for high school graduates
 2. to demonstrate that change in earnings has been consistent for all groups
 3. to explain the relevance of school programs to workplace demands
 - 4.* to demonstrate the widening gap in earnings among groups with different levels of education
2. In paragraph 3, line 12, the word “substantiate” means
 1. question
 - 2.* confirm
 3. record
 4. report
3. According to the chart, what is the only group reported to have experienced a positive change in earnings during the period of the study?
 1. all males
 2. all college graduates
 - 3.* black college graduates
 4. male high school graduates

Task 3

Texts: “Grandpa,” a poem by W. M. Ransom and “A Celebration of Grandfathers,” a memoir by Rudolfo A. Anaya.

Directions to Students: Read the passages on the following pages (a poem and a memoir), answer the multiple-choice questions, and write the essay described in your task.

Your Task: After you have read the passages and answered the questions, write a unified essay about conflicting attitudes toward the elderly as revealed in the passages. For each passage, explain how the author uses language and structure to convey ideas about conflicting attitudes toward the elderly.

Guidelines:

- Use ideas from both passages to establish a controlling idea about conflicting attitudes toward the elderly
- Use specific and relevant evidence from both passages to develop your controlling idea
- Show how each author uses language and structure to convey ideas
- Organize your ideas in a logical and coherent manner
- Use language that communicates ideas effectively
- Follow the conventions of standard written English

Sample Multiple-choice Questions

Directions: Read each question carefully and select the option that best answers the question. The questions may help you think about ideas you might want to use in your essay.

1. What feature of the poem helps to reinforce the flow of memories the narrator has of his grandfather?
 1. regular rhyme
 - 2.* missing punctuation
 3. extended metaphor
 4. embedded dialogue
2. In “A Celebration. . .” Anaya pays respect to his culture’s
 1. achievements
 2. changes
 3. history
 - 4.* values
3. The word “transformation” is used several times in the memoir to mean
 - 1.* transition
 2. transfer
 3. reform
 4. conformity
4. One literary technique used by **both** Ransom and Anaya is to
 1. introduce the passage with a quotation
 2. repeat images throughout the selection
 - 3.* begin and end the selection with the same words
 4. organize ideas in a cause-and-effect pattern

Task 4

Your Task: Write a position paper in which you discuss two works of literature you have read from the particular perspective of the statement that is provided for you in the “critical lens.” In your paper, explain what the statement means to you, agree or disagree with the statement, and support your opinion using specific references from the two works of literature.

Critical Lens: According to author Joseph Conrad, the task of a writer is “by the power of the written word, to make you hear, to make you feel—it is, before all, to make you see.”

Guidelines:

- Explain what Conrad’s statement means to you
- State whether you agree or disagree with the statement as you have interpreted it
- Choose two works you have read that you believe best support your opinion
- For each work you have chosen, use specific references to appropriate literary elements (e.g., theme, setting, tone) to show how the work supports your opinion
- Organize your ideas in a unified and coherent manner
- Specify the titles and authors of the literature you choose
- Follow the conventions of standard written English

Mathematics

Grade Level	Administration Time	Core Outline Distributed	Test Sampler Distributed	Secure Field Test	First Administration
Elementary Grade 4	Three class periods (40 minutes each)	February 1998	February 1998	May 1998	May 1999
Intermediate Grade 8	Two sessions (60 minutes each)	February 1998	February 1998	May 1998	June 1999
Regents Grade 10 (Or any time before graduation)	One three-hour session	February 1998	Spring 1998	May 1998	June 1999

Grades 4 and 8 examinations will include multiple-choice and short-answer items. The Regents examination will include multiple-choice as well as short and extended constructed-response items. Extended tasks are being developed for future use.

MATHEMATICS REQUIREMENTS DURING THE PHASE-IN PERIOD (FOR CLASSES ENTERING NINTH GRADE IN 1997, 1998, 1999, AND 2000)

Local Diploma	Score of 65 or above on Course I or Math A (55-64 for those districts that choose to allow the lower passing score)
Regents Diploma	Scores of 65 or above on Course I and Course II Or Score of 65 or above on Math A
Regents Sequence in Mathematics	Scores of 65 or above on Course, I, Course, II, and Course III Or Scores of 65 or above on Math A and Course III
Schools with Variances for Courses I, II, and III	May use approved local examination as follows: For Course I - until Math A is offered (planned for June 1999) For Courses II and III - until the Course II and Course III Regents examinations are phased out and replaced by a Math B examination

MATHEMATICS EXAMINATION DESIGN

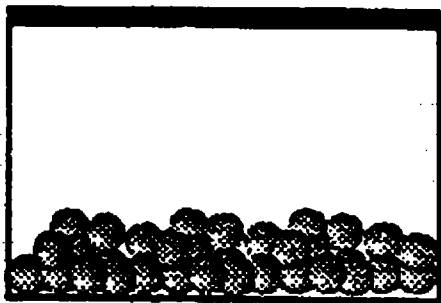
Key Ideas from Standards	Grade 4	Grade 8	Math A	Math B
Mathematical Reasoning	10—15%*	10—15%	5—10%	TBD**
Number and Numeration	15—25%	10—15%	10—15%	TBD
Operations	20—25%	15—20%	10—15%	TBD
Modeling/Multiple Representation	5—10%	15—20%	20—30%	TBD
Measurement	15—20%	10—20%	15—20%	TBD
Uncertainty	5—10%	5—10%	5—10%	TBD
Patterns & Functions	10—15%	20—25%	15—20%	TBD

* Percentages represent portion of test devoted to each key idea.

** To Be Determined.

Grade 4 Mathematics

Jerry has 58 gumballs in a plastic box, as shown below.



Estimate how many gumballs will be in the box if Jerry fills it up. Explain how you got your answer.

SAMPLE QUESTIONS

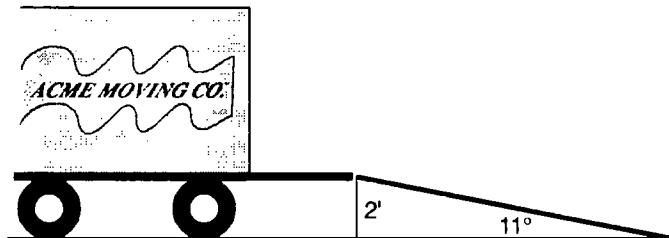
Grade 8 Mathematics

Mark has an average of 87 on the four tests he has taken. He could make the honor roll if he gets his average up to 90. There will be only one more test this marking period.

What score will Mark need on the last test to give him an average of 90 for the marking period? Show your work.

Mathematics A Regents

The tailgate of a truck is 2 feet above the ground. The incline of a ramp used for loading the truck is 11° , as shown below.



Find, to the nearest tenth of a foot, the length of the ramp.

Social Studies

Subject/ Grade Level	Administration Time	Core Outline Distributed	Test Sampler Distributed	Secure Field Test	First Administration
Elementary Grade 5	Two or three class periods (40 minutes each)	Spring 1998	Fall 1999	Pilot — spring 1998 Pretest — November 1999	November 2000
Intermediate Grade 8	Two or three class periods (40 minutes each)	Spring 1998	Fall 1999	Pilot — spring 1998 Pretest — spring 1999	June 2001
Regents Global History, (including Geography, Economics, and Government) Grade 10 (Or any time before graduation)	One three-hour session	Spring 1998	Spring 1999	Pretest — spring & fall 1998, spring 1999	June 2000
US History and Government (including Geography and Economics) Grade 11 (Or any time before graduation)	One three-hour session	Spring 1998	Spring 2000	Pretest — spring & fall 1998, spring 1999 spring 2000	June 2001

TEST CHARACTERISTICS

General Characteristics of the New Elementary and Intermediate Social Studies Assessments

- Each assessment is based on the social studies learning standards, concepts, and themes and will include history of the United States and New York, world history, geography, economics, and civics, citizenship, and government.
- The core curriculum outline serves as the framework for the new elementary and intermediate assessments and the test specifications.
- The components of the two tests may include multiple-choice items, constructed-response items, and compositions or document-based questions.
- Each assessment is designed to be an early indicator of how well students are meeting the social studies learning standards.
- Neither of the two assessments is a program evaluation instrument.

General Characteristics of the Commencement Level Social Studies Examinations

- The examinations are keyed to the social studies learning standards: history of the United States and New York, world history, geography, economics, and civics, citizenship, and government.
- The core curriculum outline serves as the framework for the Global History and United States History Regents examination designs.
- The components of the two Regents examinations will include multiple-choice items, constructed-response items, thematic essays, and document-based questions.
- An extended task will be developed for future use.
- A test sampler draft for the Global History Regents will be available in June 1999, and for the United States History and Government Regents in June 2000.
- The new assessments will have January, June, and August administrations.

SOCIAL STUDIES REGENTS EXAMINATION DESIGN

Type of Item	Number of Items	Time	Weight
Multiple-choice	50	60 minutes	50%
Thematic Essay	1	40 minutes	15%
Document-based Question	1	60 minutes	25%
Constructed-response	4	20 minutes	10%
Total	56	3 hours	100%

SAMPLE QUESTIONS

Global History—Thematic Essay

Throughout global history, nationalism has had positive and negative effects. In your essay, define the term "nationalism." Then select *one* nation you have studied and give specific historic examples of nationalism within that country. Describe a situation where nationalism was *either* a positive *or* a negative force in that country's history.

NOTE: You may use any nation from your study of global history except the United States.

United States History—Thematic Essay

According to Thomas Jefferson, "the government that governs best, governs least." Franklin D. Roosevelt said: "... Democratic government has innate capacity to protect its people against disasters. . . We refused to leave the problems of our common welfare to be solved by the winds of chance and the hurricanes of disaster. . . ." Throughout United States history, the proper role of government in dealing with social and economic problems has been debated. In your essay, discuss how the role of government in dealing with social and economic problems has changed.

Science

Grade Level	Administration Time	Core Outline Distributed	Test Sampler Distributed	Secure Field Test	First Administration
Elementary Grade 4 (ESPET)	Two class periods (40 minutes each)	Spring 1998	NA	Pretest — spring 1998	Spring 2000
Intermediate Grade 8	Three class periods (40 minutes each)	Spring 1998	Spring 2000	Pilot — spring 1999 Pretest — spring 2000	Spring 2001
Regents (Any time before graduation) Physical Setting: Earth Science	One three-hour session plus class time for lab performance test for each of the four Regents examinations	Spring 1998	Spring 2000	Pilot — spring 1999 Pretest — spring 2000	June 2001
Living Environment: Biology		Spring 1998	Spring 2000	Pilot — spring 1999 Pretest — spring 2000	June 2001
Physical Setting: Chemistry		Spring 1999	Spring 2001	Pilot — spring 2000 Pretest — spring 2001	June 2002
Physical Setting: Physics		Spring 1999	Spring 2001	Pilot — spring 2000 Pretest — spring 2001	June 2002

The Grade 4 examination includes multiple-choice and short-answer items, performance tasks, and an extended task. The Grade 8 examination includes short-answer items and an extended task.

The Regents examinations in Living Environment and Physical Setting include multiple-choice items, short-answer items, and performance tasks. The current Regents examinations are being revised to align with the State learning standards in science.

**PROPOSED DESIGN FOR EXAMINATIONS IN SCIENCE
GRADE 8 AND HIGH SCHOOL**

Part A	Content-based, multiple-choice questions (approximately 30% of examination)
Part B	Content and skills-based, multiple-choice and constructed-response questions (approximately 30% of examination, partial credit possible)
Part C	Content and real-world application, extended constructed-response (approximately 25% of examination, partial credit possible)
Part D	Laboratory performance tasks Administered prior to on-demand portion of examination (score will comprise 15% of examination grade)

Laboratory requirement — High School Only
1,200 minutes of laboratory experience (required for admission into the examination)

GRADUATION REQUIREMENTS IN SCIENCE

Students entering Grade 9 in 1999 and 2000 (Two science credits required)	
Local Diploma	Score of 65 or above on one current Regents examination (55-64 for those districts that choose to allow the lower passing score) OR Score of 65 or above on revised Regents examination
Regents Diploma	Score of 65 or above on two Regents examinations (55-64 for those districts that choose to allow the lower passing score)
Students entering Grade 9 in 2001 and after (Three science credits required representing Living Environment and Physical Setting) (A credit in MST or technology may be used for the third credit of science after student passes a Regents examination.)	
Regents Diploma	Course requirements plus pass one Regents examination with score of 65 or above
Advanced Regents Diploma	Course requirements plus pass two Regents examination with score of 65 or above (one for Living Environment and one for Physical Setting)
Regents Sequence in Science	Three courses in science (at least one Living Environment and one Physical Setting) plus pass three Regents examinations or approved alternatives

Grade Level	Administration Time	Core Outline Distributed	Test Sampler Distributed	Secure Field Test	First Administration
Proficiency Test at Checkpoint A	Three-hour session plus class time for speaking test	Current syllabus will continue in use	Current form continues in use	NA	NA
Regents examination Checkpoint B (Anytime before graduation)	Three-hour session	Current syllabus will continue in use	Current form continues in use	NA	NA

The Proficiency Test and Regents examination include a listening passage, multiple-choice items, short and/or extended responses, and a speaking test.

Classes entering Grade 9 before 2001	
Local Diploma	Two units of study in a second language at some time in grades K-9
Regents Diploma	A sequence of three units of credit AND a passing grade on a Regents comprehensive examination. (exception for students who take a sequence of at least five credits in occupational education, art, or music)
Classes entering Grade 9 in 2001 and thereafter	
Regents Diploma	Two units of study in a second language at some time in grades K-9 A passing grade on a Regents foreign language proficiency examination OR a passing grade in a high school level foreign language course
Advanced Regents Diploma	A sequence of three units of credit AND a passing grade on a Regents comprehensive examination. (exception for students who take a sequence of at least five credits in occupational education, art, or music)

A Foreign Language Implementation Committee has been formed to recommend a plan for bringing all students to Checkpoint B proficiency, i.e., the level reflected in the Regents examination, usually achieved through three units of study. The committee will meet during the spring and make its report in June 1998.

What About Assessments in Other Subject Areas?

State examinations are not available in the subject areas below at this time; however, local assessments are required. State guidelines and scoring rubrics will be provided to schools for these assessments.

Subject/Grade	Format	Administration Time	Status
Arts Elementary Ongoing K-4	Multiple measures of standards in all four arts disciplines	In class at teacher discretion	Performance tasks are being developed through State and national projects
Arts Intermediate Grades 7 & 8	Multiple measures in two arts disciplines	In class at teacher discretion	Performance tasks are being developed through State and national projects
Arts Graduation Requirement Grade 9	State-approved performance or portfolio in one art discipline	Scheduled by school	State guidelines being developed for spring 1998 pilot testing
Health, Family and Consumer Sciences, Physical Education Ongoing K-12 Health and Fitness Plan	Includes components of: Nutrition, Weight Control, Disease Prevention, Stress Management, Safety, Physical Fitness, Parenting	Reviewed annually by teacher	State guidelines to be developed for spring 1998 pilot testing
Career Development and Occupational Studies Ongoing K-12 Career Plan	Required and suggested tasks at different intervals between grades K-12	Scheduled by school	State guidelines to be developed for spring 1998 pilot implementation
Career Development and Occupational Studies Ongoing 10-12 Universal Foundation Skills/Applied Learning	Multiple measures for demonstrating success in the workplace	Scheduled by school	Discussion with national assessment providers
Career Development and Occupational Studies Ongoing 11-12 Technical Skills and Knowledge Sequence Assessment	State-approved licensing and Regents examinations in selected areas, containing objective and performance-based assessments Current Proficiency tests remain in place during developmental period	Class time for performance assessments and State examinations	State and national examinations under review
Technology Education Grade 8	Multiple-choice items Short-answer questions Extended task	One class period (40 minutes) plus class time for extended task	Pilot testing spring 1997 and spring 1998
MST Performance Task Grade 5 Grade 8	Extended task Short-answer and extended responses	Class time for extended task plus one or more class periods (40 minutes)	Pilot testing spring 1998

Scoring State Examinations: Grades 4 and 8—English Language Arts and Mathematics

- Regional scoring of the Grade 4 and 8 English Language Arts and mathematics examinations will be conducted for the 1999 and 2000 test administrations. Scoring procedures for subsequent examinations will be determined based on that experience.
- The regional scoring process is being planned with representatives from the statewide Staff and Curriculum Development Network and the Big Five cities.
- Scoring training will be provided by a professional measurement company in collaboration with the State Education Department. Some educators from each region will be trained as scoring leaders.
- Scannable answer sheets will be used to record student responses and hand-scored items. Regional Information Centers and city school district scoring centers will scan the answer documents from schools in their area.
- Central score reporting will be provided by CTB/McGraw-Hill in 1999 and 2000 to establish statewide baseline data for the new tests.

Scoring State Examinations: Required Regents Examinations

- Teams of local school or local district teachers will score Regents examinations for students in their schools.
- The Department will provide scoring training and scoring manuals for each new examination.
- The Department will increase its review of Regents examinations to provide rerating of papers within a designated range of scores.
- Teachers from each region will be trained to provide scoring training for their region.

What Assistance Will Be Provided for Teachers?

- Learning standards have been sent to all schools and are available at the Department's web site: www.nysed.gov
- Draft resource guides are available at the Department's web site: www.nysed.gov
- Core curriculum outlines are being developed to provide details on content and skills by grade levels. The first outlines to be disseminated will be for English language arts and mathematics.
- The New York State Academy for Teaching and Learning has been established to recognize and share information on effective instructional practices. Teachers who have submitted classroom curricular material with student work to a peer review process make up the Academy. Work approved through the peer review process is included in the draft teacher resource guides on the Department's web site. For additional information about the Academy or peer review, contact the Office of Curriculum and Instruction at (518) 474-5922.
- Test samplers will be disseminated one year prior to the first administration of new tests.
- In addition to professional development opportunities provided at the district or building level, over 40 professional development providers have made the commitment to focus their efforts on the learning standards and new assessments. The providers include Teacher Centers, BOCES, the Staff and Curriculum Development Network, Bilingual Education Technical Assistance Centers, Special Education Training and Resource Centers, Comprehensive School Health and Wellness Centers, and professional associations.
- Student performance data on the school report cards support informed discussions by school administrators, teachers, school staff, parents, and community members about student performance and its improvement.

How Can You Learn More?

- State Education Department's web site: www.nysed.gov
- Professional development networks
- Teleconference on State assessment — February 24, 1998 from 3-4pm
- PBS broadcast — New York: The State of Education — April 9, 1998 from 8-9pm

Charter Schools

The New York Charter Schools Act of 1998

Definition of Charter Schools

The New York Charter Schools Act of 1998 authorizes the establishment of charter schools, which are public schools operated under charters issuable by the Board of Regents. Interested individuals and groups may apply to local school boards, the trustees of the State University of New York, and the Board of Regents. New York is now among 33 other states and the District of Columbia offering charter schools. While there are common elements among charter schools nationwide, New York's law has several unique features and prescribes application requirements.

Charter schools get their name from the fact that they are schools operated according to a charter or plan that describes how they will function, including their educational philosophy and approach and their financial operation. Any charter school opened under the provisions of this law will have the flexibility to operate free of many State and local educational laws and regulations. But charter schools will be held accountable to the provisions of the charter school law, the provisions of the charter authorized for the school, and the same health and safety, civil rights, and student assessment requirements applicable to other public schools.

How Charter Schools Are Formed

Under the new law, charter schools are public schools funded by tax dollars according to formulas described in the legislation. Any teacher, school administrator, parent or community resident, or a group of such individuals, may apply to establish a charter school. Such individuals or groups may apply to establish charter schools in conjunction with colleges, universities, museums, libraries, not-for-profit corporations, or for-profit businesses or corporations. In addition, existing public schools may elect to convert to charter schools. Existing private or nonpublic schools, however, may not convert to charter schools.

There is no upper limit on the number of students the charter school may serve, but there is a lower limit of 50 students. There is also no upper limit on the number of teachers that may work at a charter school, although there is a minimum requirement of three teachers. Charter schools may not select students on the basis of any criteria other than the students' ages or grade levels.

The law stipulates that an application to establish a charter school must provide several kinds of information. Such information includes the mission of the proposed school and its educational program and student achievement goals, information on how the school would be organized and its budget and fiscal plan, the number of students proposed to be served in the school, the school calendar and proposed school day schedule, and other information. All of the information required in a charter school

application will be specified in the charter school application package, which is scheduled to become available in February 1999.

Applicants for charter schools may apply to any one of three charter entities. These entities are the boards of education of school districts (or, in New York City, the Chancellor of the New York City Board of Education), the Board of Trustees of the State University of New York, and the Board of Regents. Applicants for public school conversions must apply through local boards of education.

In addition to being one of three charter entities, the Board of Regents is also the only entity authorized to issue a charter. In other words, a charter approved by the board of education of a school district or by the Trustees of the State University of New York must be approved by the Board of Regents also.

A charter may be issued for a term of up to five years, after which time the charter may be renewed, upon application, for five more years. Approval of an application for renewal of a charter will be based on the progress of the charter school in achieving its objectives, a detailed financial statement, copies of annual reports of the charter school, and indications of parent and student satisfaction.

Approval of a charter application depends on a charter entity's finding that the applicant demonstrates the ability to operate the school in an educationally and fiscally sound manner and that student learning and achievement is likely to improve. Preference will be given to applications that demonstrate the capability of effectively educating students at risk of academic failure.

The total number of new charter schools may not exceed 100. Of these, up to 50 may be approved by the Trustees of the State University of New York and up to 50 by the boards of education of school districts and the Board of Regents. Conversions of public schools to charter schools are in addition to the limit of 100.

Operating a Charter School

A charter school is an independent and autonomous public school. A charter school must be nonsectarian in its programs, admission policies, employment practices and all other operations. It cannot be wholly or in part under the control or direction of any religious denomination. It cannot charge tuition. While charter schools are encouraged to be innovative and flexible in their educational programs and curricula, they must meet or exceed the same educational standards as other public schools and must administer State assessments. Supervision and oversight of a charter school is the responsibility of the charter entity and the Board of Regents. This oversight will be sufficient to ensure compliance with applicable laws, regulations, and charter provisions. In addition, the school district within which the charter school is located has the right to visit, examine, and inspect the charter school for compliance.

Charter schools may be located in part of an existing public school building, a private work site, a public building, or any other suitable location. The Office of General Services shall annually publish a list of State-owned buildings that are vacant or unused totally or in part. Upon request, school districts must provide a list of vacant and unused school buildings or portions thereof.

For purposes of transportation, a charter school is to be considered a nonpublic school. This means that districts that would be required to provide transportation of their students to eligible nonpublic schools would also be required to provide transportation of their students to an eligible charter school.

Private persons and organizations may provide funding and other assistance to a charter school.

A charter school may not discriminate against students or employees and may not limit admission on the basis of any ability or other condition. However, a charter school may be a single-sex school. Any student who is qualified to attend a public school is also qualified for admission to a charter school, if he or she is in the age range of the students the charter school applies to serve. The school district of residence of students attending a charter school may, but is not required to, allow such students to participate in athletic and extracurricular activities. Services for disabled students may be provided by the charter school, by the school district where the charter school is located, or by contract with another provider.

Charter School Employees and Collective Bargaining

Employees of a charter school are employees of the educational corporation formed to operate the charter school and not employees of the school district in which the charter school is located. No less than 70 percent of teachers in a charter school must be certified. Up to 30 percent of such teachers, to a maximum of five teachers, may be uncertified, as long as they have certain expertise or experience. However, certified teachers who teach subjects outside of their certification area will not be counted as uncertified teachers.

Employees of a charter school that has converted from an existing public school are subject to collective bargaining, although such employees may vote to modify existing collective bargaining agreements. Employees of new charter schools do not have to participate in any collective bargaining activities or agreements, although they may elect to do so. In charter schools of over 250 students, all teaching employees will be considered members of a separate negotiating unit in the school district where the charter school is located. This requirement may be waived for up to 10 schools approved by the Trustees of the State University of New York. Charter school employees will be treated as employees of the local school district in respect to retirement benefits. Labor unions shall have access to charter schools regarding representation questions.

Teachers employed by school districts may apply for a leave of absence for purposes of teaching at the charter school. Such application of two years or less shall not be denied, and the teacher may return to teach in the school district at any time during that period with no loss of rights.

Accountability and Financing of Charter Schools

A charter may be revoked or terminated if student achievement at the charter school does not meet or exceed designated performance levels on State assessments, for serious violations of law, for fiscal mismanagement or violations of the charter, or for violations of civil service law involving discrimination against employee rights.

Charter school financing shall be based on the number of students projected to be served and the approved operating expenses of the districts of residence of those students. School districts whose students attend the charter school shall forward payments to the charter school, which shall include State and federal aid and any other pertinent aid to a student with disabilities. There will be six payments to the charter school, beginning on the first business day of July and every two months thereafter. Failure by a school district to make such required payments will result in the State Comptroller deducting the required amounts from State funds due to the district and paying them to the charter school.

Charter schools will be required to submit an annual report to the charter entity. The report will have to include a charter school report card, a discussion of progress made towards goals, and a financial statement.

CHARTER SCHOOLS

Questions and Answers

DEFINITIONS

Q What is a charter school?

A. A charter school is a public school. It is financed through public local, State, and federal funds but is independent of local school boards. The authority of the charter school to provide education is through a "charter," a type of contract, between the charter school board of trustees and one of the chartering entities that has been approved and issued by the Board of Regents. Charter schools typically focus on innovative curricula, a new approach to school organization, or some other features that differentiate them from regular public schools. Students may choose to attend any charter school and are accepted through an application procedure.

Q What are the purposes of charter schools?

A. Charter schools as defined in New York may be created to:

- Improve student learning and achievement;
- Increase learning opportunities for students who are at-risk of academic failure;
- Encourage the use of different and innovative teaching methods;
- Create new professional opportunities for educators;
- Provide parents and students with expanded choices in the types of educational opportunities that are available within the public school system; and
- Provide schools with a method to change from rule-based to performance-based accountability systems.

Q. Are charter schools something new?

A. Charter schools surfaced as a concept in 1974, but 1991 marked the first passage of a charter school law by a state (Minnesota). New York is the 35th state (including the District of Columbia) to enact charter schools legislation. It is estimated that over 1,100 charter schools have been established in the USA.

Q. What is a charter entity?

A. A charter entity is authorized to approve charter school applications. Boards of education of school districts, the Board of Trustees of the State University of New York, and the Board of Regents are the charter entities to which applicants may submit charter school applications. Fifty charters shall be issued by the Board of Regents on the recommendation of the State University of New York, and fifty charters shall be issued on the recommendation of other charter entities. Only a local board of education may approve an application for the conversion of an existing public school to a charter school subject to the approval of the Board of Regents. In New York City, the Chancellor serves as the charter entity rather than

the local school board. The Board of Regents is the only entity with the authority to issue a charter.

Q. What is the difference between a charter school and a chartered school?

A. A chartered school is any nonpublic school formed by the Board of Regents as an education corporation, but which operates independently under general oversight of the Board of Regents and the Commissioner of Education. A charter school is a public school authorized to operate on the basis of an approved charter, which is a document describing the conditions under which the school was approved to operate and the expectations it will have to meet in order to continue to be authorized. However, like a chartered nonpublic school, a charter school will be formed by the Regents as an education corporation.

FORMING CHARTER SCHOOLS

Q. Who can open a charter school in New York?

A. An application to establish a charter school may be submitted by teachers, parents, school administrators, community residents or any combination thereof. Such application may be filed in conjunction with a college, university, museum, educational institution, not-for-profit corporation, or for-profit business, but may also be filed independently. A charter school may be authorized for a maximum duration of five years. A charter may be renewed for subsequent periods not to exceed five years each.

Q. What is a private non-profit corporation and how does one incorporate?

A. A private non-profit corporation that has tax exempt status under section 501(c)(3) of the internal revenue code is a corporation formed for non-business purposes such as charitable, scientific, literary, educational or cultural purposes. In New York, a non-profit corporation of this type can be formed by filing a certificate of incorporation with the Secretary of State pursuant to the Not-for-Profit Corporation Law, or where the corporation has educational purposes, by filing a petition with the Board of Regents to create an education corporation.

Q. What grade levels can charter schools offer?

A. Charter schools may offer instruction in one or more grades between grade 1 and grade 12 and may also offer kindergarten. If they offer high school grade levels, they may offer local and Regents diplomas to the same extent as other public schools. Note that for students entering high school in the fall of 2001 and subsequently, neither a charter school nor any other public school will have the option of issuing a local diploma.

Q. Can an existing nonpublic school convert to a charter school?

A. The law specifically prohibits an existing nonpublic school from converting to a charter school.

Q. How many charter schools may be established?

A. The law sets a limit of 100 charter schools. However, public schools that elect to convert to become charter schools are not included in the count.

Q. If a charter entity rejects a charter application, can the applicant appeal?

A. No. If a charter entity denies an application for a charter school, the denial is final and not reviewable to any authority, including a court of law. However, the applicant may apply to other charter entities.

Q. May churches or religious denominations or groups start up a charter school?

A. Churches or religious denominations or groups may not control or direct a charter school, so that involvement of churches or religious denominations or groups in the management and operation of the charter school is impermissible. Individual members of the clergy or other religious leaders are not prohibited from serving on charter school boards of trustees merely because they are clergy. However, the presence of clergy on the board of trustees cannot place the charter school under the control of a religious denomination. In any case, a charter school must be nonsectarian in its programs, admissions policies, employment practices and other operations and may not provide or allow the use of its funds or resources to support religious instruction.

Q. Can a charter school be a pre-school?

A. No. A kindergarten may be part of a charter school, but a charter school must include some grades between one and twelve.

Q. What is the allowable extent/duration of a charter?

A. Charters may be issued for a term of up to five years and may be renewed for additional five-year periods.

Q. By what entity are charters issued to approved charter schools?

A. Only the Board of Regents is authorized to issue a charter. It may do so in response to an approved application forwarded by a chartering entity (i.e., school district or the SUNY Board of Trustees), or in response to an application which it receives directly from an applicant. Fifty of the one hundred initial charters shall be issued on the recommendation of the State University.

Q. Under what conditions may charters be revoked or terminated?

A. A charter entity or the Board of Regents may revoke a school's charter if student achievement falls below the level that would allow revocation of the registration of another public school; for serious violations of law; for violation of the charter, including fiscal mismanagement; or for violations of the civil service law regarding discrimination against employees.

MINIMUM STANDARDS

Q. Is a charter school subject to the same laws and regulations as other public schools?

A. No. The charter school is subject to the same health and safety, civil rights, and student assessment requirements as other public schools, but is exempt from all other State and local laws, rules, regulations, or policies governing public or private schools, other than the provisions of Article 56 of the Education Law regarding charter schools.

Q. Will charter schools have to address the State learning standards established by the Board of Regents?

A. Yes. Charter schools must meet the same student assessment requirements as other public schools, and they must design their educational programs to meet or exceed the State's student performance standards.

Q. Will charter schools have to administer State assessments?

A. Yes. Charter schools are subject to the same student assessment requirements as other public schools and nonpublic schools.

Q. Do charter school students have to take Regents exams?

A. According to the law, "A charter school shall design its educational programs to meet or exceed the student performance standards adopted by the Board of Regents." Students attending a charter school are required to take Regents examinations to the same extent that such examinations are required of other public school students. A charter school offering instruction in the high school grades may grant Regents diplomas and local diplomas to the same extent as other public schools. A charter school may also grant other certificates and honors that are specifically authorized by its charter.

Q. May regular high schools accept academic credit from students who transfer from a charter school?

A. Yes.

Q. Who issues the high school diploma upon graduation from a charter school? the charter school? the local school board?

A. Either the charter school or the local school board might issue the diploma, depending on the charter school's relationship with the local school board.

Q. The public schools require a minimum school year of 180 days, and a 5 or 5 and 1/2 hour day. Is there a minimum requirement for charter schools?

A. No. The length of the school year and day is determined by the charter school. However, the law states that the charter school must "provide at least as much instruction time during the school year as [is] required of other public schools."

STUDENTS

Q. What is the minimum number of students required for a charter school?

A. The minimum number of students is 50, unless the applicant presents a compelling justification.

Q. On what basis may a charter school select students?

A. In general, a charter school may establish no admissions requirements except that students meet the age or grade level requirements specified in its charter. However, a charter school may be formed as a single-sex school or as a school designed to serve at-risk students, and in such circumstances may limit admissions to students of a single gender or who are at-risk of failure in school, unless such action would constitute impermissible discrimination under federal law. In addition, a charter school may deny admission to a student who is currently under suspension or expulsion by another public school until the period of suspension or expulsion has expired. A charter school may provide admissions preference to students returning to a charter school, siblings of children attending a charter school, and children residing in the local school district.

Q. Must charter schools be open to all students?

A. Yes. Any child who is qualified under the laws of this State for admission to a public school is qualified for admission to a charter school. Immunization requirements for enrollment in the public schools, as health and safety requirements, will apply to charter school students.

Q. Are charter schools required to enroll children with special needs?

A. Yes. A charter school shall not discriminate against any student on the basis of ethnicity, national origin, gender, or disability.

Q. Can a child be dually enrolled in a charter school and another public school?

A. No.

Q. Can a charter school student participate in athletics or other extracurricular activities?

A. Yes. The child could participate in athletics or other extracurricular activities at a regular public school if the public school allows it.

STUDENT SERVICES

Q. Who provides transportation for students in a charter school?

A. For the purpose of transportation, charter schools are considered nonpublic schools, which means that students attending charter schools who reside within a 15-mile radius of the charter school (or a greater radius if the voters of the school district of residence have approved nonpublic transportation for more than 15 miles) will receive transportation from their school district of residence on the same basis as nonpublic school students (i.e., subject to the applicable minimum

mileage limits for transportation in the school district of residence, and the requirement of the timely filing of a request for transportation pursuant to Education Law § 3635(2)).

Q. Does a charter school have to provide breakfast and/or lunch?

A. The charter school must provide the food services specified in its charter. The school may access federal funds available for meals served to students that meet meal pattern requirements. Students from families whose income is below 185 percent of poverty are eligible to receive free and/or reduced priced meals.

FUNDING

Q. How much money do charter schools receive?

A. The amount depends on the number of students the charter school serves and the approved operating expense (based on local, State, and federal funds) of the various districts of residence of those students. If the charter school provides special education programs and services to its students, rather than have such services provided by the school districts of residence, the charter school will also receive any State or local aid in proportion to the level of services provided. Money would follow students to the charter school.

Q. Can charter schools charge their students tuition and/or fees?

A. No, except for fees that public schools are authorized to charge.

Q. Can charter schools solicit and accept private funding?

A. Yes.

Q. Can charter schools solicit and accept private funding?

A. Yes.

Q. Can a charter school issue bonds or take on indebtedness?

A. Yes, the charter school may issue corporate bonds. However, the charter school may not pledge the per pupil funding from the local school district to pay the bonds.

Q. Can charter schools use funds to lease facilities?

A. Yes. However, the charter school may not pledge the per pupil funding to pay for construction costs.

Q. What funds are available to cover the start-up costs of charter schools?

A. In addition to any private donations a charter school might receive for start-up costs, charter schools may apply to the charter school stimulus fund for funds appropriated to assist charter schools with start-up costs, which may include facilities costs.

EMPLOYEE ISSUES

Q. Will the people who teach at charter schools have to be certified by New York State?

A. At least 70 percent of teachers must be certified. The number of uncertified teachers employed by a charter school may be no more than 30 percent or 5 teachers, whichever is less. Certified teachers who teach outside of their certification area are not counted in determining the permissible number of uncertified teachers.

Q. Is there a limit on the number of teachers in a charter school?

A. There is no upper limit. The minimum number of teachers at a charter school is three, though there may be exceptions if applicants provide justification for such exceptions.

Q. Will the people who work in charter schools be employees of the school district in which the charter school is located?

A. They will be employees of the charter school, not of the school district where the charter school is located.

Q. Must a charter school participate in collective bargaining agreements in the school district in which the charter school is located?

A. Under certain conditions. If a public schools converts to a charter school, the employees who were eligible for representation will still be subject to the collective bargaining agreement for the local school district. Charter schools that are not conversion schools, and which have more than 250 students in the first year of the school, will be deemed to be represented by the same employee organization that represents instructional employees in the school district where the charter school is located. For up to 10 charter schools approved by the SUNY Board of Trustees, the requirement described in the previous sentence may be waived regardless of the school's enrollment. Charter schools with fewer than 250 students during the first year of operation are exempt from mandatory union representation. Charter schools that are not conversions of existing public schools are not bound by existing collective bargaining agreements in effect in the local school district.

Q. May charter school employees be represented by a union?

A. Yes, charter school employees may be represented by a union. If the employees of a charter school are not represented by a union, the charter school must afford reasonable access to any employee organization. It shall be an improper practice if the charter school does not remain neutral in a representation vote by employees.

Q. May a teacher in a public school take a leave of absence to teach in a charter school?

A. Yes, a teacher employed by a public school may request an extended leave of absence to teach in a charter school. A request for a leave of up to two years may not be unreasonably withheld.

Q. What type of retirement benefits can charter schools offer?

- A. Charter school employees are eligible to join the Teachers' Retirement System or other relevant retirement system open to employees of public schools.

ACCOUNTABILITY

Q. Who oversees charter schools?

- A. The charter entity that approved the charter school and the Board of Regents may exercise oversight over the charter school. A school district may inspect a charter school approved by the Board of Regents or SUNY Board of Trustees and forward evidence of non-compliance of law to the appropriate Board.

Q. What is the relationship between the charter school and the Board of Regents?

- A. The Board of Regents is the only entity that can provide final approval of the application and give authorization for the charter although 50 of the 100 initial charters shall be issued on the recommendation of the State University of New York. The Board of Regents has the authority to revoke a charter and to deny renewal of a charter.

Q. What is the relationship between a charter school and the university system?

- A. If the SUNY Board of Trustees is the charter entity, it exercises oversight of the charter school and may revoke the charter of the school. This is in addition to the authority of the Board of Regents to oversee the charter school and revoke its charter.

Q. What happens to students upon the dissolution of a charter school?

- A. The charter must make provision for the dissolution or closure of the charter school, including the transfer of students and student records to the school district in which the charter school is located. If those students are not residents of that school district, they could be required to pay tuition as nonresident students. Such students would have the right to return to their school district of residence and attend without the payment of tuition.

Q. How do charter school students obtain textbooks?

- A. Charter school students would receive textbooks in the same manner as students in a nonpublic school.

Q. Can a charter school be established to serve students with disabilities only?

- A. A charter school may be established to provide expanded learning opportunities to students at risk of academic failure, which would include students with disabilities, but admissions standards may not be established that qualify students based on disability.

Q. What reporting requirements do charter schools have to meet?

A. Charter schools are required to make an annual report to the chartering entity and the Board of Regents.

Study - FY1 - 1st & 2nd meeting
in Jan.

Joint Legislative Committee

School District of Janesville

Co-Chairs:

Virginia K. Wyss, School Commissioner, Board Representative

&

John W. Eyster, Teacher - JEA Representative

Statement on State Revenue Caps on School Districts

Report to the School Board of the School District of Janesville

and

Representative Assembly/Executive Board, Janesville Education Association

and

the citizens of the School District of Janesville and the State of Wisconsin

Under the leadership of Dr. Tom Evert, District Administrator, School District of Janesville and Ms. Dierdre Golberg, President of the Janesville Education Association, a Joint Legislative Committee, comprised of School Board Commissioners, District administrators, JEA teachers, a student representative and community leaders, was created earlier this year to study the impact of the state imposed Revenue Cap and the Qualified Economic Offer on education in Wisconsin and, specifically in Janesville.

During study sessions, the committee studied information from groups of varied interest (for example, Wisconsin Taxpayers Alliance and Institute for Wisconsin's Future) and School District of Janesville information provided by Ms. Lauri Clifton, Comptroller and Dr. Tom Evert, District Administrator, School District of Janesville.

The committee has identified four (4) critical issues raised by the state imposed Revenue Cap that have a dramatic effect on local school districts, including the School District of Janesville:

1. The **Revenue Caps do not allow local school districts to keep pace with basic underlying costs.** In reality this means that sooner or later individual school districts will have inadequate money to fund even the basic needs of each district including educational programming, unfunded state and federal mandates and facility maintenance.

See Appendix

1-A - Revenue Cap and Qualified Economic Offer Impact

1-B - Annual Increase in Revenue Cap and Compensation Package

1-C - Revenue and Expenditures

- more -

2. **Unfunded mandates from state and federal governments continue and increase.** Costs associated with these mandates require use of limited revenues forcing school districts to reduce or curtail local programs to meet local unmandated programs designed to meet local needs. This creates significant problems for a school district trying to maintain excellent educational programs and forces an increase in class size and a reduction of instructional materials.

See Appendix

2-A - Unfunded State Mandates included in the 1998-99 Budget

3. **An absence of funding based on the needs of students persists without recognition of the diversity of needs among local school districts.** The Revenue Cap does not provide the additional resources necessary to fund the needs of Special Education Students (Exceptional Educational Needs as defined by the federal IDEA law). By having to fund the needs of EEN students as mandated by state and federal laws, the district is forced to reduce or curtail programs to meet special social or economic needs in a specific district or meet the needs of Talented & Gifted students in various enrichment programs (for example, Advanced Placement classes). A further consequence is that there is significantly less money to adequately provide for the education of the "average" student.

Case in point, the federal IDEA legislation creates the unfunded mandate to meet the needs of each and every identified special education student. There is no provision for consideration of funds available. Special education needs are more and more in competition with the needs of other educational programs. To date, while State Statute 115.88 promises to reimburse local districts for 63% of qualified personnel, the State of Wisconsin is actually reimbursing at a much lower rate. This has declined from 45% in 1993-94 to 35% estimated for 1998-99. This shortage has to be covered within the Revenue Cap, taking funding away from other important, but unmandated programs.

See Appendix

3-A - EEN Expenditures and Reimbursement

3-B - State Reimbursement History

4. **Districts which fail to levy to the maximum are penalized because unlevied dollars cannot be fully recovered in future years.** Presently there exists a disincentive for school districts. If a district does not spend up to the maximum amount that can be levied by law, that district is penalized. In other words, a school district has no reason to spend less than the maximum amount allowed by law or that district will be forever penalized in future years and can never fully regain that amount of money which was lost.

See Appendix

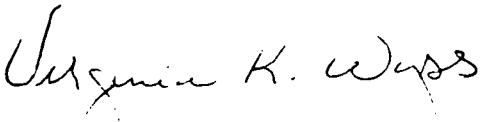
- 4-A - Department of Public Instruction: 1998-99 Revenue Limit Worksheet - Draft 11/97
- 4-B - 1998-99 Revenue Budget

We, the Joint Legislative Committee of the School District of Janesville Board of Education and Janesville Education, call upon the members of the Wisconsin State Assembly and Senate and the Governor of the State of Wisconsin to carefully consider the critical issues which we have identified.

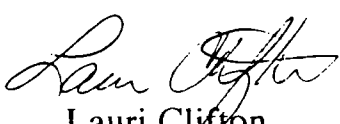
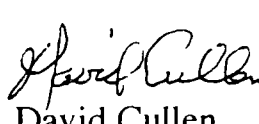
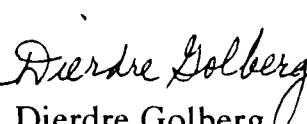
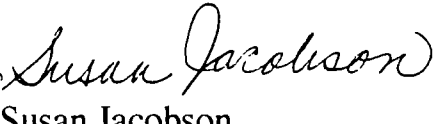
Education is the future for Wisconsin! We urge that the legislature and governor take actions to:

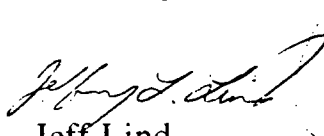
- fully fund commitments of reimbursement to local school districts
- fully fund state educational mandates
- return local control to School Boards

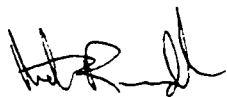
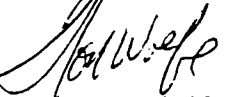
We, the Joint Legislative Committee, stand ready to work with our own representatives in the State Assembly and State Senate as well as other members of the legislature and the Governor for the revisions which we believe are needed.

Joint Legislative Committee	
School Board of Janesville	Janesville Education Association
	
Virginia K. Wyss Commissioner	John W. Eyster Teacher
Co-chairpersons	

Signatures of members on next sheet.

   
Lauri Clifton David Cullen Dierdre Golberg Susan Jacobson

   
Jeff Lind Rick Mason John McGinniss Mike Myers

   
Colleen Neumann Mike Rundle Mark Wasiljew Tom Wolfe

School District of Janesville
Revenue Cap and Qualified Economic Offer Impact

1 - A

	<u>1994-95</u>	<u>1995-96</u>	<u>1996-97</u>	<u>1997-98</u>	<u>1998-99</u>	<u>1999-00</u>	<u>2000-01</u>	<u>2001-02</u>	<u>2002-03</u>	<u>2003-04</u>
Other Revenue-frozen	6,849,378	6,849,378	6,849,378	6,849,378	6,849,378	6,849,378	6,849,378	6,849,378	6,849,378	6,849,378
Revenue Cap	57,015,220	58,925,468	60,892,974	62,860,480	64,855,492	66,880,431	68,935,743	71,021,884	73,139,318	75,288,514
Revenue Cap Increase		1,910,248	1,967,506	1,967,506	1,995,013	2,024,938	2,055,312	2,086,142	2,117,434	2,149,195
% Increase		3.35%	3.34%	3.23%	3.17%	3.12%	3.07%	3.03%	2.98%	2.94%
Total Revenue-No Growth	63,864,598	65,774,846	67,742,352	69,709,858	71,704,870	73,729,809	75,785,121	77,871,262	79,988,696	82,137,892
Other Expenditures-frozen	12,705,702	12,705,702	12,705,702	12,705,702	12,705,702	12,705,702	12,705,702	12,705,702	12,705,702	12,705,702
Salary & Fringe Benefits	51,158,896	53,102,934	55,120,846	57,215,438	59,389,624	61,646,430	63,988,994	66,420,576	68,944,558	71,564,451
QEO Increase 3.8%		1,944,038	2,017,911	2,094,592	2,174,187	2,256,806	2,342,564	2,431,582	2,523,982	2,619,893
% Increase		3.80%	3.80%	3.80%	3.80%	3.80%	3.80%	3.80%	3.80%	3.80%
Total Expenditures-No Growth	63,864,598	65,808,636	67,826,548	69,921,140	72,095,326	74,352,132	76,694,696	79,126,278	81,650,260	84,270,153
Funding Shortage	(0)	(33,790)	(84,196)	(211,282)	(390,456)	(622,324)	(909,576)	(1,255,016)	(1,661,564)	(2,132,261)

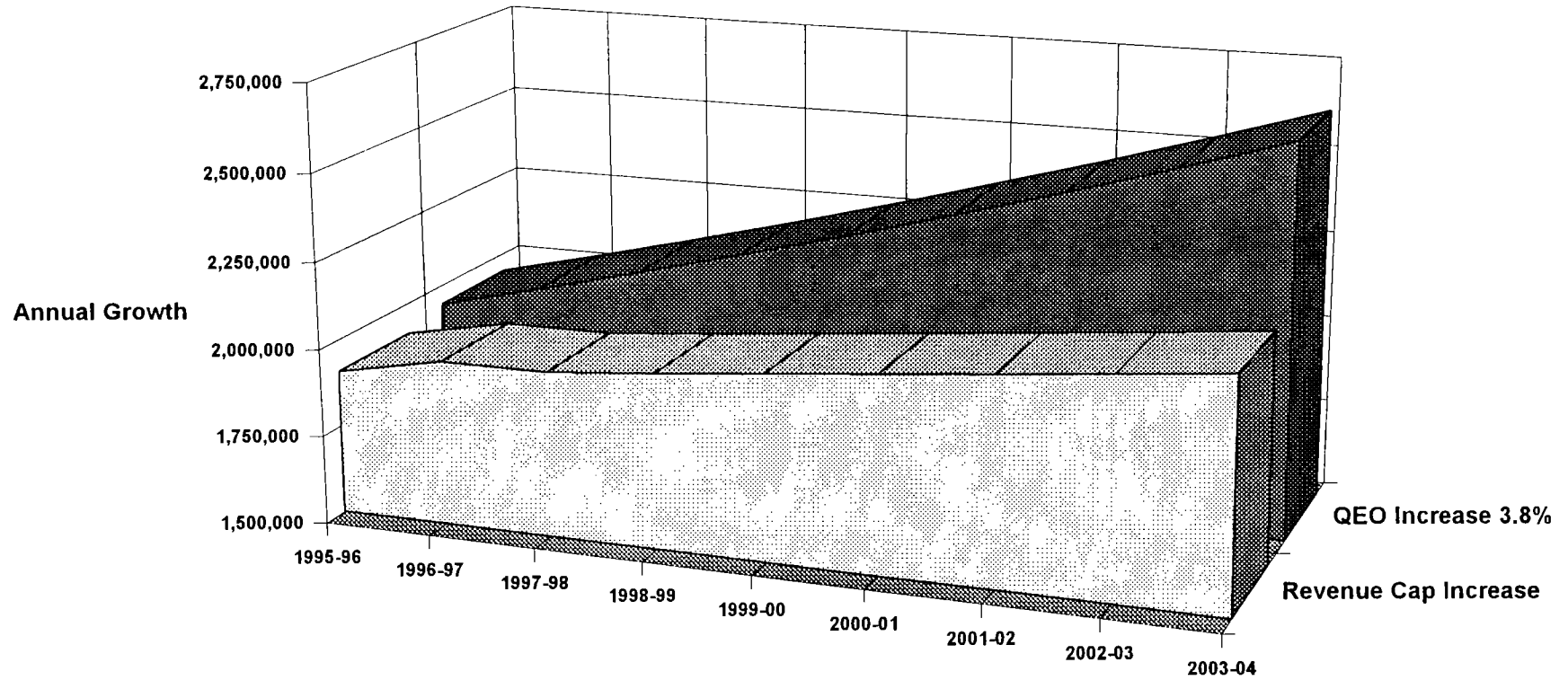
Assumptions: No membership growth and no change in staffing

September membership	9551	9551	9551	9551	9551	9551	9551	9551	9551	9551
New 3 Year Average	9551	9551	9551	9551	9551	9551	9551	9551	9551	9551
Increase to Base	\$ 194.37	\$ 200.00	\$ 206.00	\$ 206.00	\$ 208.88	\$ 212.01	\$ 215.19	\$ 218.42	\$ 221.70	\$ 225.02
Base per member	\$ 5,969.56	\$ 6,169.56	\$ 6,375.56	\$ 6,581.56	\$ 6,790.44	\$ 7,002.45	\$ 7,217.65	\$ 7,436.07	\$ 7,657.77	\$ 7,882.79
Inflation factor					1.40%	1.50%	1.50%	1.50%	1.50%	1.50%

School District of Janesville

Annual Increase in Revenue Cap and Compensation Package

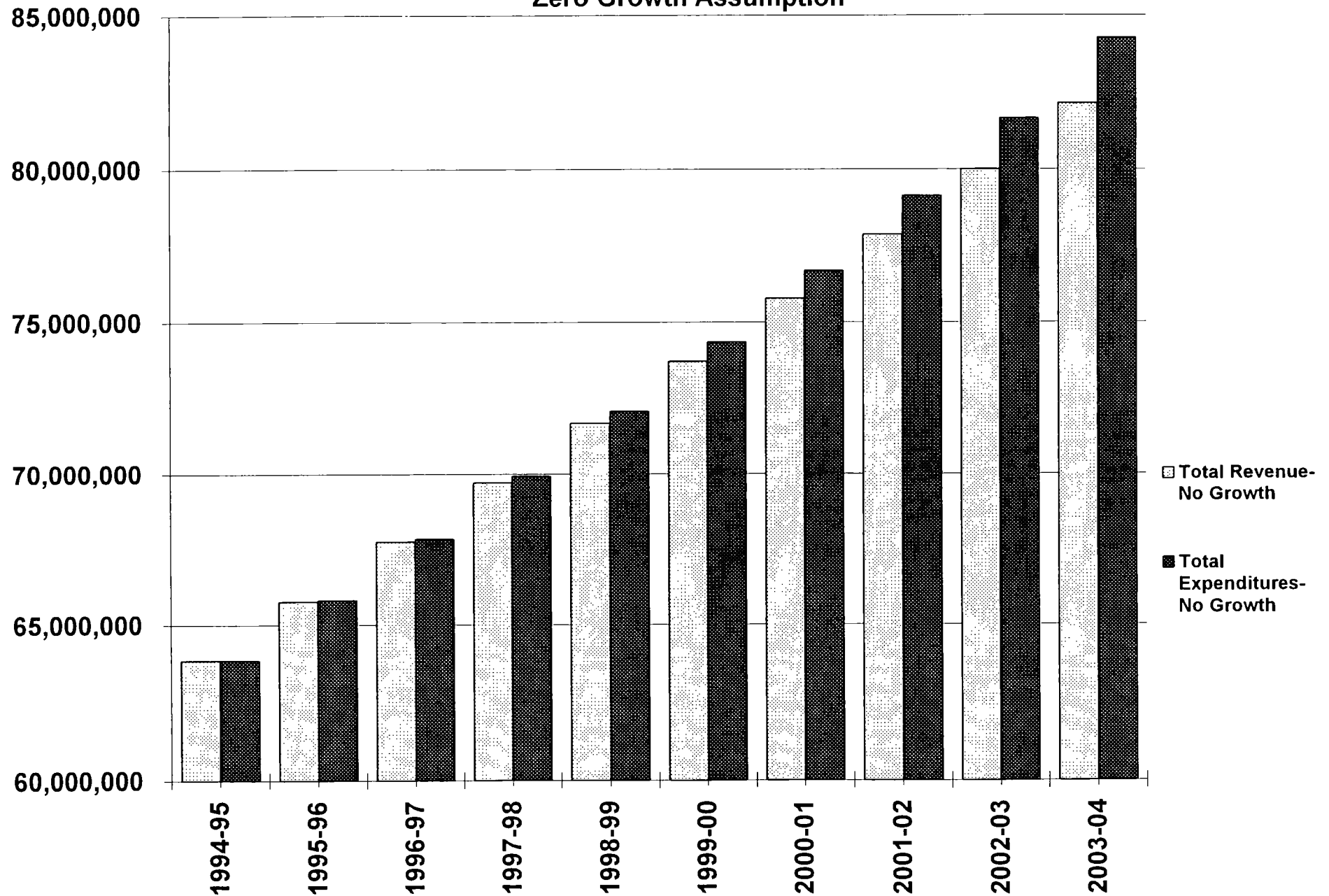
Zero Growth Assumption



School District of Janesville

Revenue and Expenditures

Zero Growth Assumption



School District of Janesville
Unfunded State Mandates
included in the 1998-99 Budget

◆	Transportation Aid shortage	\$	6,800
◆	Delayed Common School Fund Aid payment	\$	2,000
◆	Delayed Equalization Aid payments	\$	19,000
◆	Training for IDEA reauthorization	\$	25,000
◆	Training for new State Standards	\$	75,000
◆	Handicapped Aid shortage	\$	3,091,260
◆	Implementation of School Choice	\$	31,857
◆	Cost of Post Secondary Education Option		unknown

This listing is not all-inclusive.

School District of Janesville

EEN Expenditures and Reimbursement

	<u>1993-94</u>	<u>1994-95</u>	<u>1995-96</u>	<u>1996-97</u>	<u>1997-98*</u>
EEN Staff Salary Costs	6,919,669	7,331,531	7,973,701	8,748,608	9,352,219
Social Workers & Psychologists	693,794	715,814	818,786	899,909	926,424
EEN Transportation	609,025	605,380	725,580	851,526	927,003
Total Qualified Costs	<u>8,222,488</u>	<u>8,652,725</u>	<u>9,518,067</u>	<u>10,500,043</u>	<u>11,205,646</u>
Annual % Change		5.23%	10.00%	10.32%	6.72%
Aid Reimbursement by Statute	5,096,912	5,365,319	5,898,128	6,507,038	6,948,386
Actual Aid Received (the following year)	<u>3,676,311</u>	<u>3,617,251</u>	<u>3,763,139</u>	<u>3,890,681</u>	<u>3,857,126</u> *
Annual % Change		-1.61%	4.03%	3.39%	-0.86%
Shortage	<u>\$ 1,420,601</u>	<u>\$ 1,748,068</u>	<u>\$ 2,134,989</u>	<u>\$ 2,616,357</u>	<u>\$ 3,091,260</u>
Net Cost	4,546,177	5,035,474	5,754,928	6,609,362	7,348,520
Annual % Change		10.76%	14.29%	14.85%	11.18%

* Aid received in 1998-99 on 1997-98 Costs is estimated based on DPI estimated reimbursement rates.

School District of Janesville

State Reimbursement History

	<u>1993-94</u>	<u>1994-95</u>	<u>1995-96</u>	<u>1996-97</u>	<u>1997-98</u>	<u>1998-99 est</u>
Handicapped Aid						
EEN/Transportation Costs	45%	44%	42%	40%	37%	35%
Psychologist/Social Work	36%	36%	34%	33%	30%	28%
Common School Fund	\$13.70	\$13.54	\$11.50	\$14.84	\$11.73	\$11.60
Regular Transportation Aid	92%	91%	89%	89%	87%	85%
Bilingual/Bicultural Costs	33%	30%	28%	25%	23%	20%

By state statute 115.88 EEN labor costs and transportation costs are to be reimbursed at a rate of 63%, and school psychologists and social workers are reimbursed at 51%. Bilingual/bicultural aid is funded under state statute 115.995. Regular transportation funding is determined under state statute 121.58. Common school fund income is distributed under state statute 24.78.

District: _____

Dept. of Public Instruction: 1998-99 Revenue Limit Worksheet - Draft 11/97

ENTER DISTRICT DATA IN SHADED FIELDS

This worksheet is provided to assist in estimating 98-99 Revenue Limits. It requires district data from fall & summer membership reports, 97-98 certified levies, the 97-98 general aid certification, referenda or DPI approved exemptions, and required revenue limit decreases. The actual 98-99 limit, computed using DPI June 1999 data, will be affected by:

- (1) Required Rev Limit Decreases, Approved Increases
- (2) Corrections to Fall 95, 96, or 97 Membership
- (3) Audited Fall 98 Membership
- (4) Summer 98 Average Daily Membership Equivalent

Line 1: 1997-98 Revenue Base Computation

1997-98 General Aid Cert (10/15/97) (Eq Aid Worksheet, Line 1.5)	+	
1997-98 Certified Fund 10 Levy	+	
1997-98 Certified Fund 38 Levy	+	
1997-98 Certified Fund 41 Levy	+	
1997-98 Certified Fund 80 Levy	+	
1997-98 Non-Recurring Exemptions	-	
1997-98 Revenue Limit Penalty	-	
1997-98 Revenue Base (Round)	=	0

September FTE Membership Averages

Line 2: Base Yr Sept FTE Avg: (95+96+97) / 3	(Round)
Fall 95 Fall 96 Fall 97	Base Avg
	0

Line 6: Curr Yr Sept FTE Avg: (96+97+98w/ss adj) / 3 (Round)

SS 98 ADM:			
20% SS ADM =		0	
Fall 98 FTE:			
Fall 96 Fall 97 Fall 98 w SS			Curr Avg
0 0 0			0

Line 10B: Declining Enrollment Exemption

(75% of FTE Loss X Ln 5)

(Ln 2 - Ln 6)	0	= FTE Loss	(not < 0)
	0	(FTE Loss * .75, Round)	
	#DIV/0!	(Max 98-99 Rev per Memb, From Ln 5)	
<i>sfnms/sb/11-97</i>	#DIV/0!	Line 10B Exemption	

1. 1997-98 Base Revenue (Funds 10, 38, 41, 80) **0**
 2. Base Sept Membership Average (95, 96, 97)
(Base Yr Memb Avg Detail on Left) **0**
 3. 97-98 Base Revenue Per Member (Ln 1 / Ln2) **#DIV/0!**
 4. 1998-99 Per Member Increase (A + B) **#DIV/0!**
 - A. Allowable Increase - All Districts (Estimate) **208.88**
 - B. Low Revenue Increase (6100 - (3 + 4A)) **#DIV/0!**
 - (Low Rev Dist in CHCEB, Enter CHCEB Adjustment) **0**
 5. 1998-99 Maximum Revenue / Memb (Ln 3 + Ln 4) **#DIV/0!**
 6. 1998-99 Membership Multiplier **0**
(Avg of 96, 97, 98 with SS Adj)
 7. 1998-99 Rev Limit, No Exemptions (Ln 5 x Ln 6) **#DIV/0!**
 8. Total Recurring Exemptions (Base Modifiers) **0**
Enter Total Unused 1997-98 Allowable Revenue:
 - A. 75% of Prior Year Unused Revenue **0**
 - B. Transfer of Service (if negative, include sign) **0**
 - C. Transfer of Territory (if negative, include sign) **0**
 - D. Federal Impact Aid Loss (96-97 to 97-98) **0**
 - E. Recurring Referenda to Exceed (If 98-99 is 1st yr) **0**
 9. 1998-99 Limit with Recurring Exemptions (Ln 7 + Ln 8) **#DIV/0!**
 10. Total Non-Recurring Exemptions (A + B) **#DIV/0!**
 - A. Non-Recurring Referenda to Exceed Limit **0**
 - B. Declining Enrollment Exemption **#DIV/0!**
 11. 1998-99 Revenue Limit with Total Exemptions
(Line 9 + Total Line 10) **#DIV/0!**
 12. Oct 15, 1998 Certified General Aid for 1998-99 **0**
 13. **Maximum 1998-99 Levy** (Funds 10, 38, 41, 80) **#DIV/0!**
(Line 11 - Line 12)
- *** Certified Levy, Funds 10 + 38 + 41 + 80 May Not Exceed Line 13.

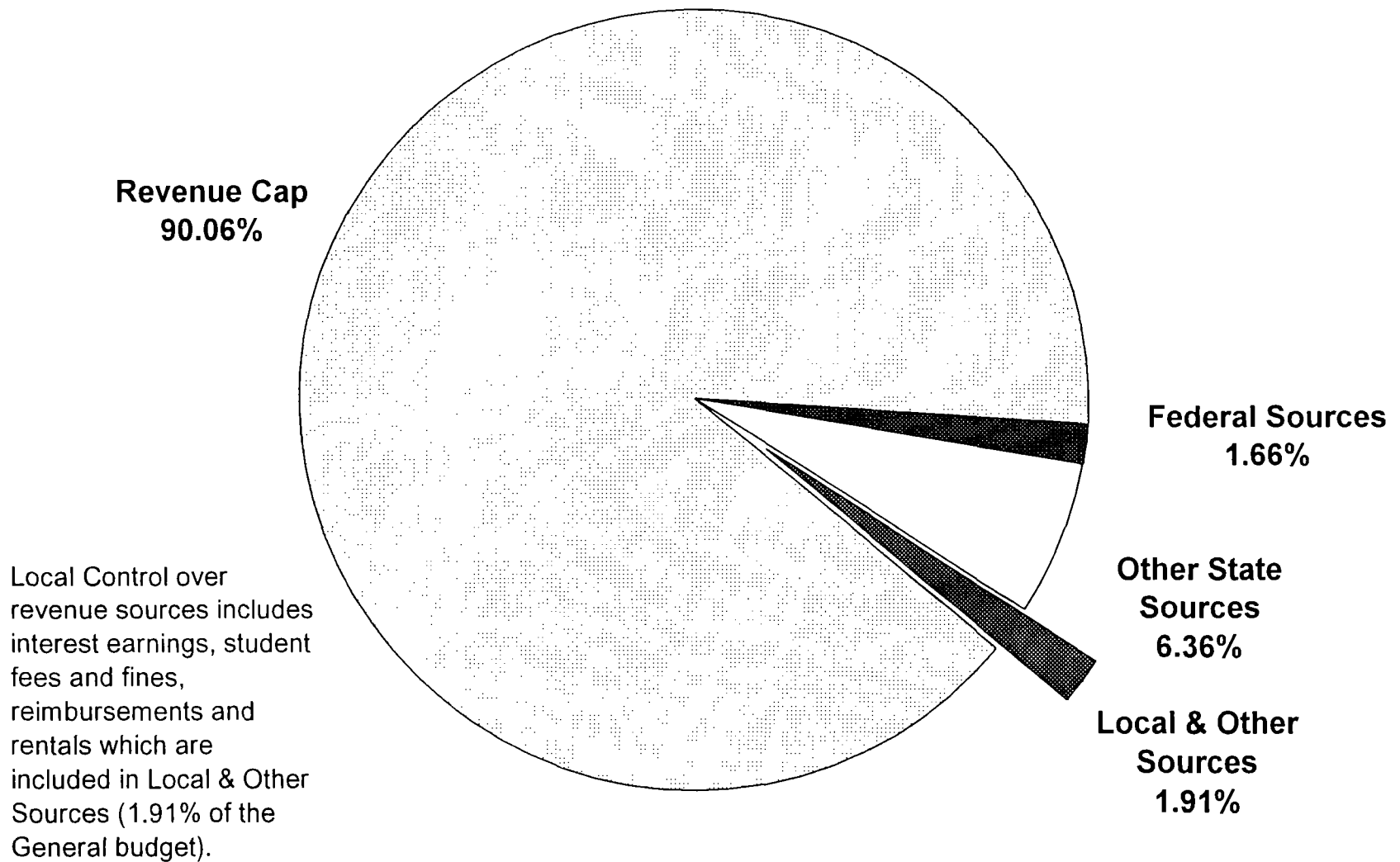
Total Levy Summary:

Actual Certified Levy Funds 10 + 38 + 41 + 80	0
Certified Levies Outside of Revenue Limits:	0
Debt Levy (Non Fund 38)	0
Chargeback Levy	0
1998-99 School District Total Levy - All Funds	0

School District of Janesville

1998-99 Revenue Budget

4 - B



Shirley - FYI

TO: Hillary Rodham Clinton
FROM: Pauline Abernathy
DATE: March 6, 1997
RE: Requested information on post-secondary schools in the D.C. area

Attached is information from the Education Department on post-secondary schools in the Washington D.C. area, including the degrees they offer, their enrollment, tuition, and accessibility by public transportation. I hope this is what you were looking for. Because there are no community colleges in the District, I had asked the Department earlier this week to go back and add the community colleges that are in the suburbs, which they have now done.

The schools are listed under four categories:

1. Colleges and graduate schools in the District, including UDC but excluding the seven four-year colleges that were at the Garrison School reading event (Georgetown, Howard, American, George Washington, Catholic, Trinity, and Gallaudet).
2. Vocational and technical schools in the District.
3. Community colleges nearby in Maryland and Virginia.
4. Vocational schools that the Department cannot vouch for their quality. These schools are not eligible for federal student financial aid programs, as discussed on the last page.

Please let me know if you need further information.

✓ cc: Melanne Verveer

Select Colleges and Graduate Schools in the District of Columbia

Institution	Address	Phone	Enrollment	Degrees Conferred	Annual Tuition (unless otherwise specified)	Participation in Student Financial Aid Programs and Compliance Issues	Metro Accessibility
Corcoran School of Art	17th and New York Ave., NW	639-1800	315	BS in Graphic Arts Fine Arts, and Photography	\$12,200	No outstanding issues	Farragut West Station
District of Columbia School of Law	4250 Connecticut Ave., NW	274-7400	280	J.D.	\$7,000	Reaccreditation pending 6/97	Van Ness Station
Dominican House of Studies	487 Michigan Ave., NE	529-5300	45	Master's in Theology, Divinity	\$5,000	Does not participate	Brookland Station (Red Line)
Mt. Vernon College	2100 Foxhall Rd., NW	625-4682	639	Bachelor's and Master's	\$14,350	No outstanding issues	Shuttle available to MVC from Dupont Circle
Oblate College	391 Michigan Ave., NE	529-6544	31	Master's in Theology, Divinity	\$5,060	Does not participate	
Southeastern University	501 Eye Street, SW	488-8162	528	Bachelor's and Master's	\$6,660	Appealed program review; terminated from Title IV; settlement pending	Waterside Mall Station (Green Line)
Strayer College	1025 15th Street, NW	408-2400	7,419	Associates Bachelor's and Master's in business-related courses	\$7,200	On reimbursement due to inadequate monitoring	McPherson Square Station
University of the District of Columbia	4200 Connecticut Ave., NW	274-5100	6,000	Bachelor's and Master's	\$1,502	Several compliance issues, students are still eligible to receive aid	Van Ness Station
Washington Theological Union	6896 Laurel Street, NW	726-8800	272	Master's in Theology, Divinity	\$8,750	Does not participate	Tacoma Park Station (Red Line)
Wesley Theological Seminary	4500 Massachusetts Ave., NW	885-8600	639	Master's in Theology, Divinity	\$8,550	No outstanding issues	Tenley Town Station

Vocational and Technical Schools in the District of Columbia

Institution	Address	Phone	Enrollment	Degrees Conferred	Annual Tuition (unless otherwise specified)	Participation in Student Financial Aid Programs and Compliance Issues	Metro Accessibility
American School of Travel	1901 Pennsylvania Ave., NW	463-7207	50	Certificate in travel and tourism 6 wks/day 13 wks/evening	day - \$1,600 even. --\$1,475	Does not participate	Farragut North Station
Career Blazers Learning Center	1025 Connecticut Ave., NW	467-4222	12	Certificates in computer software	short term 20-100 hrs/ \$10/hr. or long-term 9 mos./\$5500	Does not participate	Fort Totten Station (Red Line)
The Computer Learning Station	5563 South Dakota Ave., NE	526-6817	varies	One-day courses in computer skills	\$225 - 285 per day	Does not participate	Fort Totten Station
Harrison Center for Career Education	624 Ninth Street, NW	628-5672	47	Vocational Certificates, i.e. nursing and facility maintenance (one year programs)	\$8,300	Students are only eligible to receive Pell grants	Gallery Place-Chinatown Station
Health Careers Institute, Inc.	4200 Wisconsin Ave., NW	537-2990	30	Certificate in home health aid	5 wks/ \$550	Does not participate	Tenley Circle Station
Margaret Washington Health Occupations School	27 O Street, NW	673-7224	483	Certificate in Practical Nursing, EMS, Dental Asst.	EMS - 5 mos/ \$400 Prac. Nurs - 1 yr./ \$5,000 Dent. Asst - \$4,500	Students are only eligible to receive Pell grants	MetroBus #80 or #90
National Conservatory of Dramatic Arts	1556 Wisconsin Ave., NW	333-2202	50	Certificate in Acting		No outstanding issues	MetroBus #30, #32, #34, or #36

Institution	Address	Phone	Enrollment	Degrees Conferred	Tuition	Participation in Student Financial Aid Programs and Compliance Issues	Metro Accessibility
Sanz School	1511 K Street, NW	628-5800 659-9190	500	Diploma in ESL and Computer Skills	8 mo. program ESL - \$1,200 Comp - \$800	Recently came off reimbursement. Nothing pending.	Farragut North Station
Washington Hospital Center	110 Erving Street, NW	877-3556	150	Certificate in Medical Technology	\$2,000/ one year program	Does not participate	Brookland Station (Red Line)

Community Colleges in Maryland and Virginia (Metro Regio)

Institution	Address	Phone	Enrollment	Degrees Conferred	Tuition	Participation in Student Financial Aid Programs and Compliance Issues	Metro Accessibility
Montgomery College - Rockville Campus	51 Mannakee St. Rockville, MD	(301) 279-3000	13,316	Associate's Degrees (60 hrs) Certificates (15-30 hrs)	Per hour In-county \$65 In-state \$125 Out of state - \$177	No outstanding issues	Metro to Rockville Station to MetroBus Q2
Montgomery College - Tacoma Park Campus	Tacoma Park and Fenton Street, Tacoma Park, MD	(301) 650-1300	4,643	Associate's Degrees (60 hrs) Certificates (15-30 hrs)	Per hour In-county \$65 In-state \$125 Out of state - \$177	No outstanding issues	Metro to Tacoma Park to Ride-On Bus #18
Montgomery College - Germantown Campus	20200 Observation Dr., Germantown, MD	(301) 353-7700	3,513	Associate's Degrees (60 hrs) Certificates (15-30 hrs)	Per hour In-county \$65 In-state \$125 Out of state - \$177	No outstanding issues	Metro to Shady Grove; Ride-On Bus #55, #61, #62
Northern Virginia Community College - Alexandria Campus	3001 N. Beauregard St. Alexandria, VA	(703) 845-6200	25,000	Associate's Degrees (70 hrs) Certificates (15-30 hrs)	\$48 per credit hour in-state \$157 per credit out-of-state	No outstanding issues	Metro to Ballston Station; MetroBus #25A
Northern Virginia Community College- Annandale Campus	4001 Wakefield Chapel Rd Annandale, VA	(703) 323-3000	27,000	Associate's Degrees (70 hrs) Certificates (15-30 hrs)	\$48 per credit hour in-state \$157 per credit out-of-state	No outstanding issues	Metro to Huntingdon Station; MetroBus to Rte. 236

Other Vocational Schools in the District of Columbia

Institution	Address	Phone	Enrollment	Degrees Conferred	Tuition	Participation in Student Financial Aid Programs and Compliance Issues	Metro Accessibility
ARDIS School of Fashion Design	1728 Connecticut Ave, NW	234-6537	60	Certificate & Diploma program		Does not participate	Dupont Circle Station
Calvinade Beauty Academy	1330 H Street, NE	397-2000	21	Basic cosmetology diploma		Does not participate	Union Station
Capuchin College	4121 Harewood Rd., NE	529-2188	254	Certificate program		Does not participate	Farragut North Station
De Sales School of Theology-	721 Lawrence St., NE	296-9412	50	Master's in Theology	\$5,040	School is closing 6/97	Brookland Station (Red Line)
Dudley Beauty College	2031 Rhode Island Ave., NE	269-3666	188	Basic cosmetology diploma		Recently dropped appeal of program review findings; agreed to pay liability	Rhode Island Ave. Station
The Learning Annex	1634 I Street, NW	639-2000	200	Certificates for completion of one-night seminars in public speaking	\$29 - \$49 depending on membership	Does not participate	Farragut West
Orion Business Services Inc.	2800 New York Ave, NE	635-4200	40	Certificate programs		Does not participate	MetroBus #B2

TITLE IV Student Financial Aid Programs

The Department of Education administers the following major Student Financial Assistance programs under Title IV of the Higher Education Act (HEA):

- Federal Pell Grants
- Federal Direct Student Loans
- Stafford Loans
- PLUS loans
- Consolidation Loans
- Federal Supplemental Educational Opportunity Grants
- Federal Work-Study
- Federal Perkins Loans

To receive aid from these Title IV aid programs, you must:

- have financial need
- high school diploma or GED
- be enrolled or accepted for enrollment as a regular student working toward a degree or certificate in an eligible program
- be a U.S. citizen or eligible noncitizen
- have a valid Social Security Number
- make satisfactory progress
- sign a statement of educational purpose and a certification statement on overpayment and default
- register with the Selective Service if required

Not all schools participate in the Title IV aid programs. Some schools are determined ineligible by the Department of Education while other schools choose not to participate. Some factors which determine Title IV eligibility are cohort default rates, financial responsibility, administrative capability, and conducting proper audits.

Undergraduate students may receive all types of financial aid. Graduate students may receive loans and Work-Study, but not Pell or FSEOGs.

The DLC Update

DLC National Conv rs tion
July 14-15, 1999 • Baltimore, MD
See www.dlc.org for more information.

The Democratic Leadership Council

Monday, July 12, 1999

Idea of the Week: A National Teachers Corps

Over the course of the next decade, America faces a major national teacher supply crunch, at a time of rising public concern about the quality of instruction. How do we replace an entire generation of teachers, hire more teachers to meet the demand of a growing student population, and raise the bar for teacher quality all at the same time?

Although bricks and mortar are important to modernizing our education system, recent research is finally confirming what parents have known for a long time: Teachers matter when it comes to academic performance—a lot. In a Tennessee study, for example, fifth-graders who had three high-ranked math teachers in a row outscored by more than 50 points similar students who had three consecutive low-ranked teachers. That's the difference between scoring in the 29th percentile of all test takers and the 83rd.

Over the course of a student's K-12 school career, good teachers may well determine a child's chances of going to college or getting a good first job. Unfortunately, poor and minority students are far less likely than others to be assigned high-ranking teachers increasing educational inequality at a time when educational accomplishment is more important than ever in the information-based New Economy.

Addressing the dual crisis of teacher quantity and quality means increasing the percentage of talented young people who choose teaching as a profession; and making sure all children have a fair chance to learn from good teachers—especially those children who stand to lose the most if they don't.

Vice President Al Gore has embraced a response to the dual challenge that PPI Senior Fellow Bill Galston explains in the next issue of *Blueprint: Ideas For a New Century*—a National Teachers Corps. High school seniors in the upper portion of their graduating class would be offered government funded scholarships of up to \$5,000 per year for four years to help pay for college. In return, they would make a four-year commitment to public school teaching in high-need areas (as measured by indicators such as poverty and sub-par academic achievement). Before they started teaching, they would have to pass demanding tests demonstrating subject-matter mastery while exhibiting good teaching skills. The material incentives would be offered at the end of high school when many families are struggling to finance a college education for their graduates.

The proposal embodies the New Democrat values of expanded opportunity and mutual responsibility—providing assistance in financing college in exchange for "giving something back" to the community and accepting tough performance standards. It draws on successful programs as diverse as AmeriCorps, the ROTC, and Teach for America. States could pursue this proposal on their own initiative; in fact, some states already offer college loan forgiveness in exchange for a commitment to teach in underperforming schools.

America doesn't have to choose between hiring more teachers and hiring better teachers. Furthermore, we should encourage our best teachers to work in schools that need the most assistance. A National Teachers Corps is a better choice.

New Markets Initiative: A Third Way in Fighting Poverty

It had all the familiar trappings of an overseas trade mission: a group of elected officials, corporate executives and economic development experts offering to open doors for new private investment. But the stops on the President's New Markets Initiative tour this week were not in Germany, Japan, or Australia, but rather in places like Hazard, Kentucky, East St. Louis, Illinois, the Mississippi Delta, and the Pine Ridge Indian Reservation of South Dakota. The implicit point was eloquent: we have untapped economic potential in urban and rural communities where persistent poverty and job dislocations disguise strong possibilities for retail and commercial facilities and other home-grown enterprises.

The New Markets Initiative, a package of proposed legislation unveiled during the trip, includes tax incentives for businesses investing or locating in impoverished areas; new financial instruments for business-start-ups and joint ventures; and technical assistance for the kind of microenterprises that have succeeded in many urban areas. Overall, it represents a dramatic shift from the social services orientation of past federal urban and rural assistance efforts, and a strong commitment to build on what Yale's Michael Porter has called "the comparative advantage of the inner cities."

It was interesting and important that the President was accompanied on this trip by DLC President Al From and the Rev. Jesse Jackson. The New Markets Initiative is highly consistent with the DLC's longstanding call for a major shift in national anti-poverty efforts from dependence on unconditional federal aid toward an "empowerment" strategy based on integrating impoverished areas into growing regional economies. As for Rev. Jackson, whose own tour of Appalachia early this year helped shape the President's initiative, he has clearly undergone a change of direction in his approach to poverty making private-sector job growth instead of reparations-style social services assistance the center of his message.

The President aptly called the New Markets Initiative, "the perfect embodiment of the third way philosophy." The *Wall Street Journal's* Gerald Seib commented, "It's classic New Democrat thinking: Marshal public resources to create private-sector growth that gives an opportunity (but no guarantee) to people who help themselves."

This initiative obviously does not include everything the country needs to do to address entrenched poverty. Failing public schools have heavily contributed to failing economies in many inner-city and rural communities. Public safety and substance abuse problems still abound. And we have a long way to go in ensuring that families leaving public assistance roles have the resources they need to climb onto and up the career ladder.

The New Markets Initiative is a breath of fresh air in a long-stagnant Left-Right debate on what to do about those left behind by economic growth and denied the promise of American life.

Just the Facts on Welfare Reform

Not everybody was delighted to be united with the President, Jesse Jackson, and Al From on a new anti-poverty strategy. Georgetown law professor Peter Edelman penned a dyspeptic op-ed in the *New York Times* denouncing the initiative as a sham, and blaming the 1996 welfare reform act for persistent poverty.

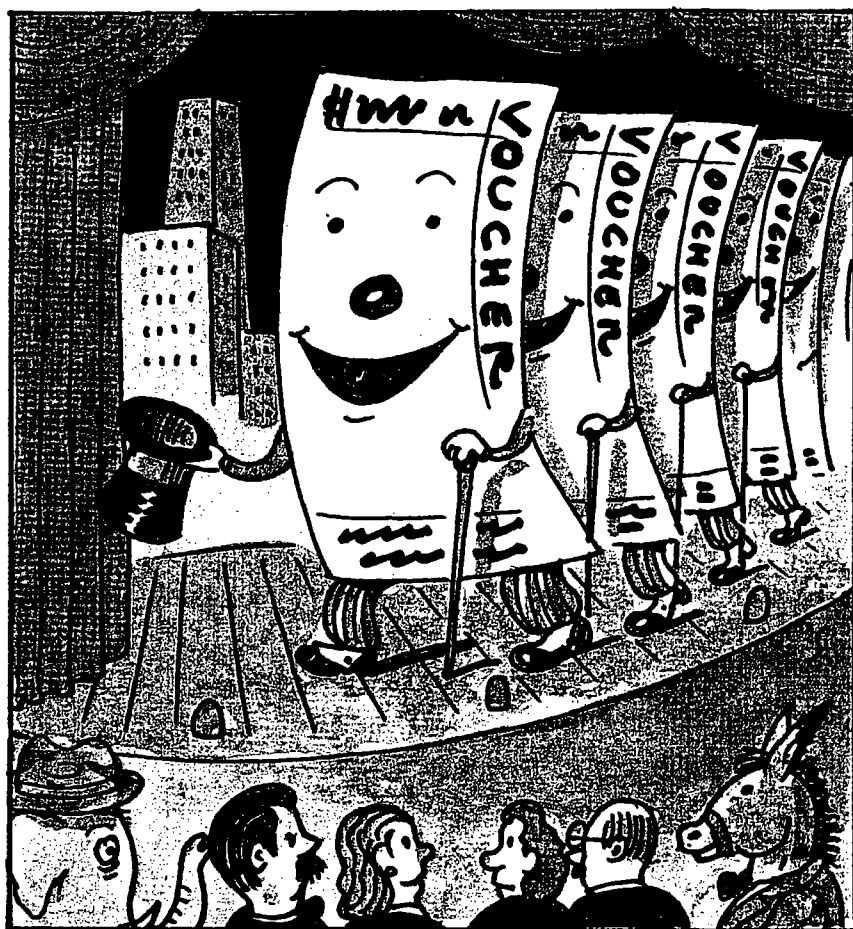
Mr. Edelman is nothing if not consistent. He resigned his position as Assistant Secretary of HHS to protest the President's decision to sign the 1996 act, and is one of the few liberal critics of welfare reform who still cannot find anything positive to say about it.

His piece is interesting, however, in two respects. Until recently, anti-welfare-reform liberals were predicting that the 1996 law would produce a social catastrophe, with millions sleeping on heating grates and destitute families overwhelming private charities. Since that simply has not happened, Edelman and others have shifted their complaint to argue that welfare reform hasn't done enough to lift the poor up and out of poverty.

But in making his argument about welfare reform's shortcomings, Edelman cites some highly dubious statistics suggesting that families leaving welfare are not actually getting jobs. Like so many tendentious arguments about welfare reform, it shows the critical need for reliable and uniform national monitoring of what happens to welfare recipients after they leave the rolls.

Help may finally be on the way. In an effort which the DLC strongly supported (see the June 7 issue of the *DLC Update* at <http://www.dlcppi.org/fax/1999/990607.htm>), the Senate passed an amendment by Sen. Paul Wellstone (D-MN) requiring that states conduct post-welfare monitoring of families' job retention rates and income levels. It was rejected on a party-line vote earlier, but later accepted as an amendment to the Treasury-Post Office appropriations bill on a voice vote this week. It appears Senate Republicans expect the amendment to get buried in the House.

We hope that New Democrats in the House will help make sure that does not happen. And we especially urge state officials to abandon reflexive opposition to uniform monitoring of post-welfare families. They should view this not as a paperwork requirement or a federal mandate, but as a way to ensure the nation knows whether welfare



A Bold Experiment to Fix City Schools

A proposal for school vouchers on which Milton Friedman, Lamar Alexander, and Kweisi Mfume, the president of the NAACP, all agree

WHEN Maria Neri's daughter Tina finished eighth grade, two years ago, her scholarship at a Catholic elementary school in south-central Los Angeles ended.

The parochial high school in which Neri (not her real name) hoped to enroll Tina charges \$3,500 a year—a third less than

the \$5,400 Los Angeles would spend to educate Tina in public school. Neri, thirty-three, earns \$600 a month as a part-time teacher's aide;

by Matthew Miller

she's looking for a second, and perhaps a third, job. Her husband, from whom she is separated, earns \$1,200 a month as a laborer in a glass factory. He pays his

wife's monthly rent of \$340, but offers no support beyond that. After paying for food, a phone, gas, and other expenses, Neri had no money left to put toward private school for Tina. Yet she was afraid to send Tina to the neighborhood public school, where the walls were covered with graffiti, and "cholos," or gang members, had been involved in shootings that brought police helicopters to the campus. So Neri used her sister's address to enroll Tina at another public school, which, though twenty minutes away, at least seemed safer. But it is far from ideal. Classrooms each have forty to forty-five children belonging to several different grades. Tina, sixteen, says the teachers often have the students watch movies. Her math teacher was so confused about who Tina was that he gave her an F for not completing many assignments—a grade he changed, with embarrassment and an apology, after Neri confronted him with Tina's completed workbook. "I can see the difference," Neri says. "She's going down." Tina says she would go back to Catholic school if they could afford it. "I talk to my daughter," Neri explains, "and say, 'I'm sorry.'"

Neri's desire to send Tina to a better school is at the heart of one of the nation's most important and most demagogic debates. Through vouchers, often touted as an answer to Neri's problem, the government would give parents some or all of the money it now spends educating their children to use at a school of their choice. Depending on whom you listen to, vouchers are either a lifeline or a death knell. "It is quite simply an issue of survival for our nation's poorest students," says Dan Coats, a Republican and a former senator from Indiana. But Kweisi Mfume, the president of the National Association for the Advancement of Colored People, calls vouchers a "terrible threat," and Sandra Feldman, the president of the American Federation of Teachers, says they mean "a radical abandonment of public schools and public education."

These are heated claims, especially given the relatively small number of students who are involved in voucher programs today. Just over 52 million students attend grades K through 12 in the

United States. Only two cities offer publicly funded vouchers: in Milwaukee (whose breakthrough program was begun in 1990) roughly 6,000 of 107,000 students get vouchers; in Cleveland about 4,000 of 77,000 do. In May, Florida approved a plan under which students at the poorest-performing schools would get vouchers. Four schools are expected to be eligible this year, and 12,000 of the state's 2.3 million K-12 kids are expected to use vouchers over the next four years. Privately funded voucher programs in thirty-one cities served roughly 12,000 children last year; ten new such programs came into being for the 1998-1999 school year. Two wealthy investors, Ted Forstmann and John Walton, recently announced a plan to fund (along with other donors) \$170 million in vouchers, which will reach 40,000 new students over the next four years.

Add these numbers up and you get 74,000 children—about 0.1 percent of students. Add 200,000 for those students in the 1,200 charter schools around the country (which also give parents a choice), and the proportion comes to only 0.5 percent of schoolchildren. In other words, the school-choice debate is

Where is the “voucher left”? Vouchers have a long but unappreciated pedigree among progressive reformers.



taking place utterly at the margins. At this rate, for all the fuss, it's hard to imagine that any impact could be made on the skills and life chances of students stuck in our worst public schools in time to prevent what the Reverend Floyd Flake, a voucher advocate and a former Democratic congressman from New York, calls “educational genocide.”

This tragedy is most pronounced in big cities, whose public schools together

serve six million children. Despite heroic local efforts and pockets of success, depressing evidence mounts of an achievement gap between students in cities and those in suburbs, where, school-watchers say, most schools are doing fine, largely because they're safer, better funded, and less prone to the social ills that plague cities. Of Detroit's eleventh-graders 8.5 percent were deemed “proficient” in science on Michigan's 1997 statewide exam. Fourth-graders in Hartford were a tenth as likely as Connecticut students overall to show proficiency on the state's three achievement tests in 1996. Only two percent of Cleveland's minority tenth-graders have taken algebra. “The numbers tell a sad and alarming story,” a special report in *Education Week* concluded last January. “Most 4th graders who live in U.S. cities can't read and understand a simple children's book, and most 8th graders can't use arithmetic to solve a practical problem.” As polls prove, increasing numbers of urban parents like Maria Neri want a way out. It seems immoral to argue that they must wait for the day when urban public schools are somehow “fixed.” It's even harder to argue that bigger voucher programs could make things worse.

Yet a political standoff has kept vouchers unavailable to nearly 99 percent of urban schoolchildren. Bill Clinton and most leading Democrats oppose them, saying we should fix existing public schools, not drain money from the system. Teachers' unions, the staunchest foes of vouchers, are among the party's biggest donors, and sent more delegates to the 1996 Democratic National Convention than did the state of California. Republicans endorse vouchers as a market-based way to shake up calcified bureaucracies, but they generally push plans that affect only a few students. The distrust that has led to today's gridlock is profound. Republicans view Democrats as union pawns defending a failed status quo; Democrats think Republicans want to use urban woes as justification for scrapping public education and the taxes that fund it.

MISSING entirely from the debate is the progressive pro-voucher perspective. To listen to the unions and the NAACP, one would think that vouchers were the evil brainchild of the economist Milton Friedman and his conservative devotees, lately joined by a handful of

desperate but misguided urban blacks. In fact vouchers have a long but unappreciated intellectual pedigree among reformers who have sought to help poor children and to equalize funding in rich and poor districts. This “voucher left” has always had less cash and political power than its conservative counterpart or its union foes. It has been ignored by the press and trounced in internecine wars. But if urban children are to have any hope, the voucher left's best days must lie ahead.

Finding a productive compromise means recalling the role of progressives in the history of the voucher movement and exposing the political charades that poison debate. It means finding a way for unorthodox new leaders to build a coalition—of liberals for whom the moral urgency of helping city children trumps ancient union ties, and of conservatives who reject a laissez-faire approach to life's unfairness. The goal of such a coalition should be a “grand bargain” for urban schools: a major multi-year test of vouchers that touches not 5,000 but 500,000 children, and eventually five million—and *increases* school spending in the process. The conventional wisdom says that today's whittled-down pilot programs are all that is politically achievable. The paradox is that only through bigger thinking about how vouchers might help can a durable coalition emerge.

IN 1962 John E. “Jack” Coons, an idealistic thirty-two-year-old law professor at Northwestern University, was asked by the U.S. Civil Rights Commission to study whether Chicago schools were complying with desegregation orders. Coons soon found that what really interested him was a different question: Why were suburban schools so much better than those downtown? Over the next few years Coons, eventually joined by two law students, Stephen Sugarman and William Clune, found one answer in what would become a source of enduring outrage: America's property-tax-based system of public-school finance created dramatic disparities in the resources available to educate children.

This financial aspect of education's vaunted tradition of “local control” is rarely the subject of national controversy. In part that is because it gives the nation's most powerful citizens both lower taxes and better schools. Imagine two towns, Slumville and Suburbia. Slumville has

\$100,000 in taxable property per pupil; Suburbia has \$300,000. If Slumville votes to tax its property at four percent, it raises \$4,000 per pupil. But Suburbia can tax itself at two percent and raise \$6,000 per pupil. Suburbia's tax rate is half as high, but its public schools enjoy 50 percent more resources per student.

In the 1960s affluent districts routinely spent twice what nearby poorer ones did, and sometimes four or five times as much. To Coons and his colleagues, such inequity in a public service was indefensible. Beginning with *Private Wealth and Public Education*, a book that he, Sugarman, and Clune published in 1970, Coons has denounced the system eloquently. It's worth sampling his arguments, because the left's case for choice is usually drowned out by the right's cheerleading for markets, or by urban blacks' cry for help. In a 1992 essay, "School Choice as Simple Justice," Coons wrote,

This socialism for the rich we blithely call "public," though no other public service entails such financial exclusivity. Whether the library, the swimming pool, the highway or the hospital—if it is "public," it is accessible. But admission to the government school comes only with the price of the house. If the school is in Beverly Hills or Scarsdale, the poor need not apply.

Coons's point was simple: the quality of public education should not depend on local wealth—unless it is the wealth of a state as a whole. "Everyone ought to be put in a roughly equivalent position with regard to what the state will do," Coons, now an emeritus law professor at Berkeley, says.

Coons and Sugarman made a successful case for the unconstitutionality of the school-finance system in California's famous *Serrano* case in 1971, beginning a national movement to litigate for school equity. Although it was little noticed then, they cited vouchers as a potential remedy. The idea was to give courts a way to instruct legislatures to fix things without having to mess with local control. Asking legislatures to centralize school funding at the state level was a political nonstarter. But through various formulas, Coons and Sugarman argued, the state could give families in poorer districts enough cash in the form of vouchers to bring education spending in those districts up to that of better-off districts. And what could be

more "local," they reasoned, than giving families direct control over the cash to use at schools as they chose?

COONS and Sugarman, focusing on school equity, thus arrived at a policy that Milton Friedman had been urging through a principled commitment to liberty and to its embodiment, the market. Friedman's 1955 essay "The Role of Government in Education" is viewed as the fountainhead of the voucher movement. In an ideal world, the future Nobel laureate reasoned, the government might have no role in schooling at all; yet a minimum required level of education and its financing by the state could be justified.

A stable and democratic society is impossible without widespread acceptance of some common set of values and without a minimum degree of literacy and knowledge on the part of most citizens . . . the gain from the education of a child accrues not only to the child or to his parents but to other members of the society. . . . Yet it is not feasible to identify the particular individuals (or families) benefitted or the money value of the benefit and so to charge for the services rendered.

However, Friedman said, if this "neighborhood effect" meant that the government was warranted in paying for K-12 education, another question remained: Should the government run the schools as well? Friedman's view was that schools could be just as "public" if the government financed but didn't administer them. That notion remains virtually unintelligible to leaders in public education, perhaps because it is so threatening.

Friedman's analogy (adopted by every voucher proponent since) was to the G.I. Bill, which gave veterans a maximum sum per year to spend at the institution of their choice, provided that it met certain minimum standards. Likewise, for elementary and secondary schooling Friedman envisioned a universal voucher scheme that would give parents a fixed sum per child, redeemable at an "approved" school of their choice. Such a school might be nonprofit or for profit, religious or secular. Parents could add to the sum if they wished. The role of government would be limited to assuring that "approved" schools included some common content in their programs, "much as it now inspects restaurants to assure that

they maintain minimum sanitary standards." In Friedman's view, market-style competition for students would spur the development of schools that were better tailored to families' needs and cost less than those run by notoriously inefficient public bureaucracies.

Friedman's and Coons's different angles of vision represent the ancient tug between liberty and equality within the pro-voucher camp—a debate the two have waged since Friedman was an occasional guest on Coons's Chicago radio show, *Problems of the City*, in the 1960s. Friedman today isn't bothered by issues of school-finance equity. "What's your view of inequity in clothing and food?" he snapped when asked recently, saying that such concerns reflect Coons's "socialistic approach." And even if public schools were making every child an Einstein, Friedman says, he would still want vouchers. "Private enterprise as opposed to collectivism," he says, "would always be better."

Coons is less ideological. In his view, choice would improve the public schools, which he believes would always be chosen by the majority, even with a full-blown voucher system. The prospect of losing students (and thus funding) would force improvements faster than today's seemingly endless rounds of ineffectual education fads. If poor children got a decent education under the current system, he adds, he probably wouldn't have devoted his life to these issues.

The fate of disadvantaged children under a voucher regime is where the Coons-Friedman clash is sharpest. Coons would be glad to offer vouchers to all low-income students and to no one else if such a step were necessary for consensus. He fears that under a universal voucher system they could get left behind, as schools competed to recruit better-off, smarter, healthier (nondisabled) students. The incentives are plain: such children would be easier to teach, and schools could charge wealthy families far more than the voucher amount to maximize profit. Coons and the voucher left therefore insist that any universal scheme should include protections for low-income and disabled children. Examples would be increasing the voucher amount for those children to make them more attractive to schools, and letting schools redeem their vouchers only if, say, 15

(Continued on page 26)

(Continued from page 18)

percent of new places were reserved for such children, for whom the voucher would cover tuition. To Friedman, these are unacceptable intrusions on schools' freedom to operate as they like, turning vouchers into "a welfare program, not an education program."

WITHOUT a link to unions—which, despite the waning of their influence, remain one of the few sources of progressive ideas in American public

*A "grand bargain":
combine a bigger road
test for vouchers with
increased per-pupil
spending.*



life—liberal pro-voucher champions have had little political impact. The muting of their voice, combined with the ease of legislating pilot programs, explains why few urban children have a choice today. What's more, deceptive arguments by both teachers' unions and conservative activists keep the broader public confused.

Teachers' unions (and voucher foes generally) rely on five dubious arguments.

There's no evidence that vouchers work. The trials have been so isolated, unions say, that their results are unproved. That's a nervy case to make when it is union opposition that has kept the trials small. Pro- and anti-voucher forces have funded research in Milwaukee and Cleveland that purports to show why Johnny is doing demonstrably better or worse under vouchers. It is impossible to make sense of these dueling studies, whose sample sizes are so small that results seem to turn on whether, say, three children in Cleveland handed in their homework on time. Wealthy conservatives are now offering vouchers to all 14,000 at-risk children in a poor San Antonio district in part so as to compile a

broader database from which to judge the impact of voucher systems. (In the first semester of the program 566 children taking vouchers left district schools.) For now the "no evidence" argument says more about union chutzpah than about voucher performance.

Vouchers drain money from public schools. Sandra Feldman, of the American Federation of Teachers, says that the \$10 million Cleveland uses to give vouchers to 4,000 children would be better spent on measures that would benefit every child, such as shrinking class sizes and launching proven reading programs. But this is disingenuous. Cleveland provided the \$10 million in addition to more than \$600 million in existing school spending in order to mollify unions, which insisted that vouchers not "come out of the hide" of public schools. It's unfair for unions to turn around and complain that the extra cash they insisted on should have gone elsewhere. The truth is that public schools are free to fund such measures now by shifting priorities within their budgets. And when broader voucher plans let the amount that public schools receive per student follow students who leave the system, the public-school coffers are not drained—schools receive the resources their enrollment merits.

Vouchers are unconstitutional. Some critics say that voucher use at religious schools violates the Constitution's ban on "establishment of religion," but the better view of the Supreme Court's confusing jurisprudence here suggests that's wrong. After all, no one thinks that federal student loans are unconstitutional when they are used by students to attend Notre Dame. Last June, Wisconsin's highest court upheld Milwaukee's plan, because the voucher goes to parents to use where they like, not to any particular type of school. In union hands, moreover, this legal complaint seems suspiciously tactical. It can't be that we are constitutionally obligated to imprison urban children in failing schools.

The capacity isn't there. Public schools serve 46 million K-12 children, private schools six million. Since private schools can't accommodate more than a fraction of today's students, opponents say, vouchers can't be a meaningful part of school reform. "Where are these schools going to come from?" Sandra Feldman repeatedly asked during an interview with me.

The first response to this argument is to ask, Then what's the problem? If as a practical matter unions feel that most children with vouchers will remain where they are, it's hard to see what the harm is in trying them. A second response is that even relatively few defections from public schools may spur efforts to improve them. Districts with innovative charter schools have reported such a reaction.

The larger answer, however, is that broader voucher schemes would prompt many institutions and entrepreneurs to add schools and spaces to the "market." This would happen not overnight but over a number of years. The initial spaces would be likely to come from Catholic schools, which account for half the private-school slots in the country. Jerome Porath, the schools chief for the Los Angeles archdiocese, says that if every student got a voucher worth an amount close to the current per-pupil expenditure in California, over several years enough facilities could be built or rented "to accommodate everybody who wanted to come." "We'll get out our spreadsheets and figure it out," he says. Milton Friedman adds, "You can't think of it in terms of the existing stock of schools. There will be a flood of new schools started."

Profit is bad. Voucher foes act as if there were something venal about the profit motive when applied to schools. But public education is already big business. The \$320 billion spent last year on K-12 schooling is lusted after by textbook publishers, test designers, building contractors, food and janitorial services, and software companies, to name only a few examples. This largesse inevitably brings scandals—for example, the California flap in 1996 over whether campaign contributions influenced a big textbook purchase. Like health care, defense, and other major public services, schools will always be partly about business; vouchers would simply change who controls the flow of cash. There's no reason to think that the abuses under a voucher system would be worse than abuses today.

Voucher foes make other unpersuasive claims. They say that vouchers will cream off the most-talented children and the most-active parents—a worry that seems acute primarily because today's voucher plans remain tiny. They say that private schools will unfairly be able to avoid troublemaking kids by not admitting them—ignoring the fact that public

districts themselves often send such kids to special schools of "last resort." They say the oversight that will follow public money will make private schools resemble public bureaucracies—ignoring the greater flexibility that most analysts say such schools will retain in hiring and firing, resource allocation, and curriculum design. Finally, they argue that it is crazy to subsidize more-affluent parents who already pay for private school—a seemingly powerful charge until one recalls that such families are now paying twice for schools, and that vouchers offered only to poor families would avoid the problem entirely.

For their part, conservative voucher fans peddle one big misconception: vouchers can save lots of money because per-pupil spending in private schools is typically less than half that in public schools today. It is true that religious schools have fewer administrators and lower-paid teachers, and invest less in such amenities as theaters, labs, and gymnasiums. But private schools don't have to take costly disabled and "special education" children; and often public schools

must offer extras such as English as a Second Language, breakfast and lunch programs, and transportation. When such differences are taken into account, and hidden subsidies for church space and staff in religious schools are counted, the gap shrinks. Coons says that a voucher's value needs to be no lower than 85 percent of total per-pupil spending in order to stimulate capital investment in new schools. Set it too low, and the result will be simply to fill the handful of empty Catholic-school seats.

The right's claim that vouchers will deliver big savings also ignores the case for spending more in many big cities, where dilapidated buildings may collectively require as much as \$50 billion in repairs. Some public school bureaucracies—Washington, D.C., and St. Louis come to mind—seem so hopeless that it would be senseless to pour new money in until management has improved. But despite run-down buildings and higher proportions of special-needs students, cities such as Philadelphia and Baltimore spend substantially less per pupil than do their states overall.

DISINGENUOUS rhetoric, visceral distrust, maximal posturing, minimal progress. Political debates escape this kind of dead end when grassroots pressure makes the status quo untenable, or when leaders emerge with fresh ways of framing the issues. It's possible that urban schools will fall so far that the poor revolt; or crime, bred by ignorance, might worsen in ways that force society to act. There's a better path to hope for, however, if new leaders can teach us to think differently about today's predicament.

Sounds of rethinking and compromise are in the air. Arthur Levine, the president of Columbia University's Teachers College, is a lifelong liberal and a voucher foe. Yet, frustrated by the seemingly hopeless troubles of inner cities, Levine called last June for a "rescue operation" that would give vouchers to two to three million poor children at the worst urban public schools. "For me," Levine says, "it's the equivalent of Schindler's list." Lisa Graham Keegan, Arizona's superintendent of public instruction and a rising Republican star, calls the property-tax base for school fi-

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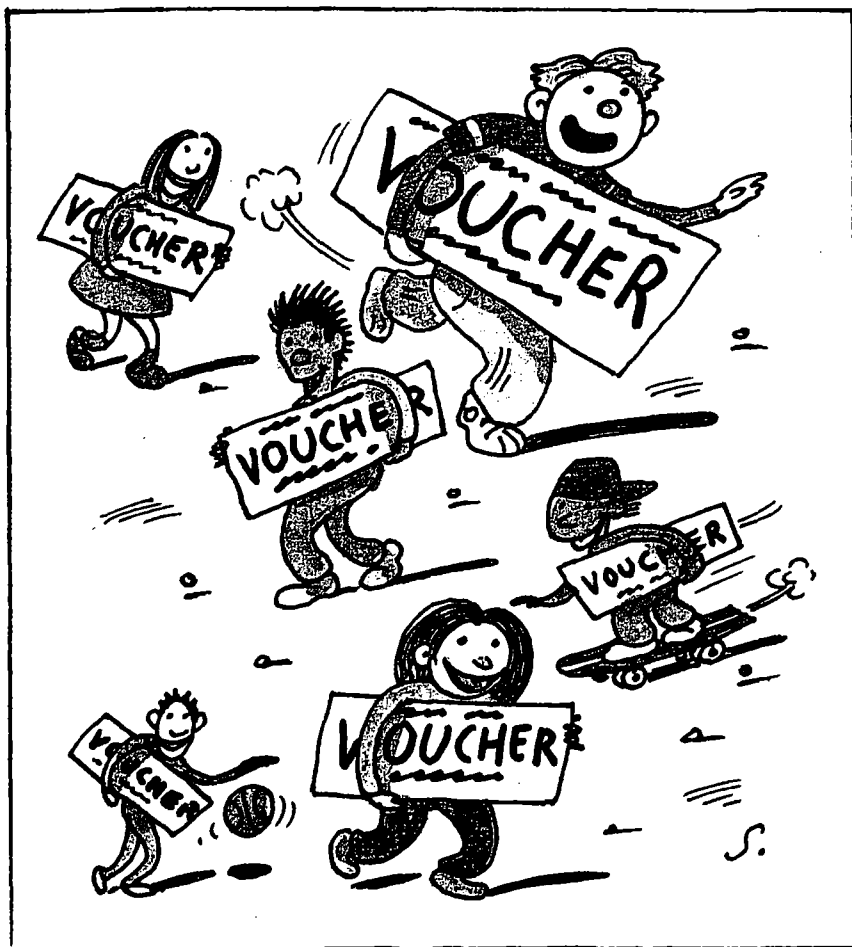
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nance "pernicious" and "wholly unfair." She wants a system of "student-centered funding," in which revenues from a source other than property taxes would be distributed by the state on an equal per-pupil basis through vouchers.

If leading liberals are willing to question the public school monopoly, and prominent conservatives hear the call of justice, the voucher debate has a chance to move forward. The sensible first step would be a much bigger road test. Here's the idea I have put to various players in the debate: Suppose everyone came together and said, Let's take three or four big cities where we agree the public schools are failing. (Leave out dens of mismanagement like Newark and Washington, where spending is high but ineffective.) In these cities we'll raise per-pupil spending by 20 percent, giving urban schools the resources the left says they need, and thus going far to achieve the Coons vision of funding equity. But we'll implement this increase by way of a universal voucher system that finally gives *every* child a choice. So, for example, in a city that now spends \$5,000 per

pupil, every child would get a \$6,000 voucher.

Such a proposal, serving half a million children, would cost \$660 million a year. If the voucher system were then extended to all six million big-city children (a logical step if results of the trial were promising), the price tag would be \$8 billion a year, or 0.4 percent of federal spending. (For purposes of discussion, I left aside the question of who outside the district would fund the 20 percent increase, though the surplus-rich federal government comes readily to mind.) The responses to this idea suggest how quickly the scale of today's debate could change—and who is responsible if it doesn't.

Jack Coons, the "egalitarian," said it sounds great. Clint Bolick, a conservative lawyer who is active in the voucher movement, also thought it could work—though, he said, the spending increase would mean that "some of my fellow conservatives would have apoplexy." Polly Williams, who led the drive to enact vouchers in Milwaukee, was anxious about extending them to students who

aren't poor, so we agreed to give them only to children eligible for the federal school-lunch program. This would still get vouchers to 78,000 children in Milwaukee instead of the current 6,000, and to four million city children nationwide. We would move pretty far toward universal coverage this way, since, sadly, two out of three city children qualify for school-lunch assistance.

What about the NAACP? To date the organization has welcomed philanthropic efforts, but when public funds are at issue, it stands by the unions. Julian Bond, the chairman of the NAACP, recently called vouchers "pork for private schools." Yet when I asked Kweisi Mfume, the NAACP president, about this proposal, he didn't hesitate. "I don't have a problem with that at all," he said. Mfume says that NAACP opposition has been not ideological but based on three concerns: the association doesn't want programs that leave nearly every child out; it wants accountability to the public on student performance; and it wants an honest approach to higher costs—such as those for transportation—that must be paid to make the system work for poor children. The pilot programs in Milwaukee and Cleveland fail especially on grounds one and three; the bargain I sketched addresses them. Mfume said he was open to the proposal as long as the NAACP's concerns were met, even if that meant taking a stance different from the unions'.

"It's a bad idea," Milton Friedman said at first, arguing that any increase in spending would "fuel the racketeers in the education business." Friedman's point is that raising spending could create further opportunities for profit-hungry operators to take the vouchers and run schools much more efficiently—not to their benefit. Owing to systematic federal overpayments, Medicare HMOs face just such scams in many places today.

But outliers like Washington, D.C., aside, it's not clear that urban schools are overspending. Given that, isn't it worth running a little risk to get a substantial voucher test under way? It seemed that Friedman wouldn't sign on, but toward the end of our discussion he relented. "I'll tell you what I would go for," he said. Friedman has always believed that so many families would flee public schools if given a voucher worth even half what is now spent per pupil that resources for

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each child remaining in the system would rise. (If ten public school children have \$5,000 spent on each of them, and three leave taking \$2,500 each, spending on the seven remaining would rise about 20 percent, to just under \$6,100.) So he would approve of a 20 percent increase in per-pupil spending for those who remained, as long as the voucher was worth only half that. Since Friedman thinks that this 20 percent increase will come over time anyway, he's not compromising his ideals. His principled accommodation is to put his money where his beliefs are and increase spending up front as part of the deal.

But look where we are. Baltimore spends \$6,400 per pupil today—versus \$6,800 spent by Maryland overall. According to Mfume's reasoning, the NAACP would accept a citywide voucher at roughly \$7,600. Friedman could live with \$7,600 for current public school pupils but would want a voucher for departing students at \$3,800. Surely there's a deal to be made here—and a chance, therefore, to help millions of children while meaningfully evaluating voucher efficacy, addressing questions about everything from student achievement to private profiteering.

What about the politicians? Lamar Alexander seems the likeliest to raise these issues thoughtfully in the 2000 election campaign; as a former Tennessee governor and the Secretary of Education under George Bush, he knows more about schooling than any other presidential aspirant. He has also been down this road before. Alexander bears scars from his ill-fated 1992 struggle to enact a voucher test at the federal level. Called the G.I. Bill for Kids, the plan would have spent \$500 million in new federal dollars to give the parents of half a million low- and middle-income children each a \$1,000 voucher to use at the schools of their choice. Alexander wagered (correctly) that conservative groups would be content with tiny sums of new money to get their foot in the door, and (incorrectly) that new cash for schools would be something the unions couldn't be seen opposing. In a Democratic Congress the bill went nowhere. Today Alexander says he would urge states to shift toward child-centered funding. And he'd go to Congress with an updated version of Bush's 1992 bill, featuring \$1,500 per voucher and an overall \$1 billion price tag.

I asked Alexander if he wasn't thinking too small: \$1,500 vouchers would be nowhere near sufficient to spark the creation of new schools. And with vouchers spread thin across the country, he would get no trial of how broad-based choice can improve schooling in a community. Why not try the 20 percent spending boost in exchange for universal vouchers in a few cities?

The voluble Alexander went silent for perhaps fifteen seconds as he considered whether to go on record in favor of a policy that would raise spending substantially—something that conservative primary voters would reject.

At length he said yes. Higher per-pupil spending wouldn't be his preferred solution, of course, but if that's what it took to get a bold voucher plan into failing cities, he'd live with it. "I would go high because the stakes are high," he explained, "and to expose the hypocrisy of the unions. If I told the National Education Association that we'd double it in the five largest cities, they wouldn't take it."

Was he right? I met with Bob Chase, the president of the National Education Association, in the union's headquarters in Washington. He made the familiar case

*Democrats should
see large-scale urban
voucher programs
as an opportunity,
not a threat.*



for why vouchers are ineffectual today and would be a threatening distraction for public schools if tried more broadly. Only 25 percent of the adult population has children in the schools, he explained. We need to help the other 75 percent understand why financial support of schools is important. In this regard I sketched the deal: a handful of cities, higher spending, but only through vouchers. My tape recorder captured the staccato response.

"Is there any circumstance under which that would be something that . . ."

"No."

"... you guys could live with? Why?"

"No."

"Double school spending . . ."

"No."

"... in inner cities?"

"No."

"Triple it . . ."

"No."

"... but give them a voucher?"

"Cause, one, that's not going to happen. I'm not going to answer a hypothetical [question] when nothing like that is ever possible."

"But teachers use hypotheticals every day."

"Not in arguments like this we don't. . . It's pure and simply not going to happen. I'm not even going to use the intellectual processes to see if in fact that could work or not work, because it's not going to happen. That's a fact."

Sandra Feldman was similarly unwilling to consider such a plan. If new money is available for cities, both said, it should be spent to improve the existing system. They would fund pay raises to attract teachers to work downtown, turnaround programs for troubled schools, and general urban programs for health, nutrition, and parenting skills. Of course, pay raises—or smaller class sizes, or any specific reform—could happen under vouchers, if that's what schools felt was needed to attract students.

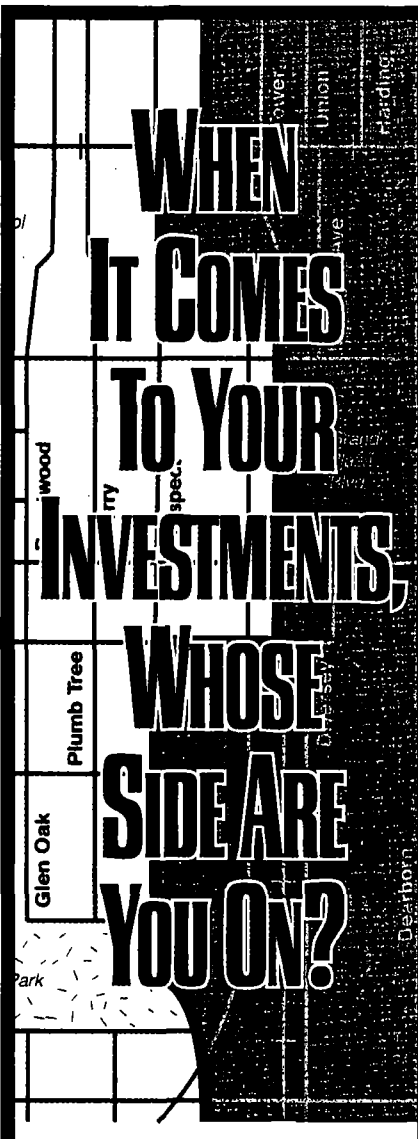
IF one believes that urban education won't improve under the same approach that has failed for years, the path to progress through vouchers follows a simple logic. A progressive hand is needed to pursue the benefits of vouchers without risk to the poor. A number of conservatives are open to such efforts if they make possible larger voucher trials. Given the disastrous state of many urban schools, the Democratic Party should be the natural home of this progressive influence. It is not, because teachers' unions loom large in Democratic fundraising and campaigns. Yet the Republicans' commitment to minorities will probably never be trusted to carry this issue alone. And, not unreasonably, Republicans are unlikely to increase spending for urban schools without ensuring that such increases are tied to system-wide reform.

Changing the Democratic Party's approach to vouchers is therefore the only way to do something serious for urban children anytime soon. This conclusion begets another political syllogism, and an opportunity. Most observers believe that if the NAACP embraced vouchers, it would force the unions to reassess their opposition. Teacher intransigence is sustainable only as long as minority leaders support it, because the children whose future is being blighted are mostly black and Hispanic. Yet as Kweisi Mfume makes clear, getting the NAACP to change its stance would require voucher plans much bolder and more comprehensive than today's pilots.

Thus thinking bigger makes progress likelier. "That's why I've taken the more radical side," explains Floyd Flake, who quit Congress to run his church school and pursue these issues. "It's the only way to force the debate."

At some level even the unions know that their stonewalling is indefensible. "I would never argue with an individual parent who wanted to figure out a way to get his or her child into a better situation," Sandra Feldman says. "But to me, as a matter of public policy, that's not a good argument. The objective is to make the schools good—not to escape them."

But what if the ability to escape might help to make the schools better? And what if testing this proposition can't make anyone worse off? Yes, big voucher plans may require an act of faith, but it wouldn't be the first gamble in American education to work. A much smaller federal government rolled the dice on land-grant colleges in the 1860s with only a notion of what would happen; the research they sparked made U.S. agriculture the world's most productive. The G.I. Bill helped to spawn the postwar middle class. The moral urgency of today's voucher gamble is much greater. For all these reasons, Democrats should see large-scale urban voucher programs as an opportunity, not a threat. After all, once they embraced such a grand bargain, Democrats would be in the driver's seat. They retain, at least for now, the moral authority to speak in behalf of the disadvantaged, and Republicans would not be able to shrink from solutions they have long sought. The alternative is a Democratic Party that favors its funders at the expense of its constituents. ☼



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identify and intervene in failing schools; (3)
issue school report cards. The combination of the
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spur the very best results.

A. Financial Bonuses for High Performance

✓ Our proposal would establish an Education Excellence Fund to provide financial rewards to any state and any of the 100 largest urban school districts that make significant gains, sustained over three years, in raising student achievement across-the-board and reducing disparities in achievement based on race, ethnicity, and socioeconomic background. Directing this money to states reinforces the broad message of our ESEA proposal that they are responsible for the performance of their schools and must adopt policies that achieve results. Directing this money to large urban school districts (aside from being good politics for us) responds to the relative independence of these districts from state governments and to their recent efforts to make far-reaching education reforms.

States and cities would receive rewards if they met, for three consecutive years, improvement targets that the Secretary of Education had set for them. These targets primarily would measure state assessments in reading and math, though they also could take into account additional indicators of performance such as improvements in other academic subjects, drop-out rates, and student attendance. As noted previously, the targets would track both overall performance and success in closing opportunity gaps.

Under the proposal, each state and city receiving an award would have to distribute 90

1-19-99

THE WHITE HOUSE
WASHINGTON

99 JAN 18 PM 3:12

January 17, 1999

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed
Mike Cohen

SUBJECT: ESEA Incentive Proposals

This memo describes proposals for (1) a financial bonus for states and school districts that have made significant progress in student achievement (both in producing overall gains and in closing demographic gaps), almost all of which will be passed on to their highest performing schools; and (2) a financial penalty -- in the form of a denial of administrative costs -- for school districts that fail to make adequate progress in student achievement. These proposals, developed at your direction, are meant to complement the ESEA proposals you have already approved to require states to (1) end social promotion; (2) identify and intervene in failing schools; (3) prevent the use of unqualified teachers; and (4) issue school report cards. The combination of the two sets of proposals will ensure that states put into place the set of education reform measures that recent studies show work, and then provide a set of financial incentives and disincentives to spur the very best results.

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✓ Our proposal would establish an Education Excellence Fund to provide financial rewards to any state and any of the 100 largest urban school districts that make significant gains, sustained over three years, in raising student achievement across-the-board and reducing disparities in achievement based on race, ethnicity, and socioeconomic background. Directing this money to states reinforces the broad message of our ESEA proposal that they are responsible for the performance of their schools and must adopt policies that achieve results. Directing this money to large urban school districts (aside from being good politics for us) responds to the relative independence of these districts from state governments and to their recent efforts to make far-reaching education reforms.

States and cities would receive rewards if they met, for three consecutive years, improvement targets that the Secretary of Education had set for them. These targets primarily would measure state assessments in reading and math, though they also could take into account additional indicators of performance such as improvements in other academic subjects, drop-out rates, and student attendance. As noted previously, the targets would track both overall performance and success in closing opportunity gaps.

Under the proposal, each state and city receiving an award would have to distribute 90

percent of it to the schools most responsible for its performance results; the state or city could retain the remaining 10 percent of the award. States, cities, and schools could use the bonus funds for any activities geared toward continuing to improve student performance.

Our proposal would authorize the Excellence Fund at a level of one billion dollars over five years. This level of funding could support awards of about \$40,000 to about 5 percent of all public schools (4500 schools). We would provide the first awards three years after the passage of ESEA to allow the Secretary to establish improvement targets and determine whether a jurisdiction had met the targets for three years running.

B. Financial Penalties for Low Performance

Our proposal would impose an appropriate and credible financial penalty on school districts that fail to make gains in student achievement over three consecutive years. The penalty would equal half of the Title 1 funds provided to the district for administrative purposes (about 2.5 percent of total Title 1 funds). Prior to imposing the penalty, the Secretary would give the school district an opportunity to turn its performance around under a corrective action plan approved and supervised by the state. We believe that this level of penalty would motivate school districts, without endangering the educational opportunities of their students. We could put into place a similar set of performance penalties for states, but think that making this proposal would not be worth the political costs.

We do not believe we should impose financial penalties on individual schools, no matter how low-performing. Our proposal requires states, working with school districts, to take effective actions to turn around these schools (with \$200 million in your FY 2000 budget to support this effort). Initial action might include extensive teacher training, support to improve school discipline, and implementation of proven approaches to school reform, such as Reading Recovery or Success for All. If these efforts did not lead to improved student achievement, the state would have to take more drastic action, such as making wholesale changes in school staff or closing the school and reopening it as a charter school. We think that this approach to turning around low-performing schools is superior to withdrawing federal money, which would pose too great a danger of entrenching existing disparities and harming the most disadvantaged students.

* * * * *

If you approve, it might be appropriate to mention this proposal -- in particular, the part about performance bonuses -- in the State of the Union.

Approve  _____

Disapprove _____

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL OF ECONOMIC ADVISERS
WASHINGTON, D.C. 20502

'99 JAN 20 AM 8:51

January 20, 1999

MEMORANDUM FOR WHITE HOUSE SENIOR STAFF

FROM: JEFFREY A. FRANKEL *Jf*
SUBJECT: December Housing Starts and Permits,
Department Release, Wednesday, 8:30

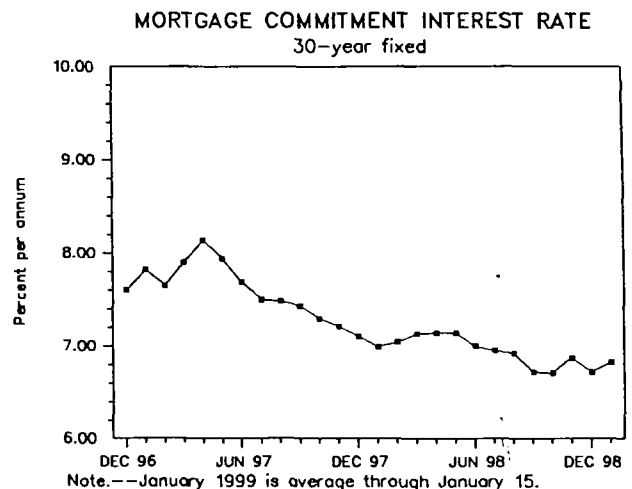
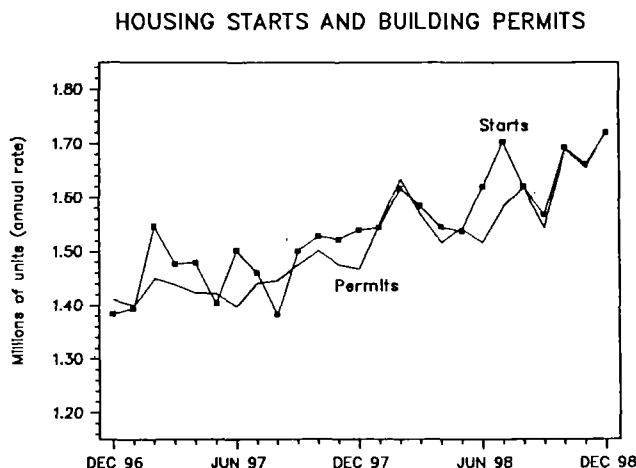
25 copies

Housing starts increased 3 percent in December to 1.72 million units at an annual rate--above market expectations.

- All of the December increase was in the volatile multi-family component. Single-family starts were little changed.
- The pace of housing starts in 1998, at 1.62 million units, was the strongest since 1987.

Housing permits--a more stable and forward-looking measure of construction activity--increased 4 percent in December. The level of this series foreshadows strong housing starts next month.

Residential construction has increased substantially faster than GDP in each of the past four quarters, and the recent pattern of housing starts points to another such gain in the fourth quarter. The recent strength reflects large gains in real income as well as the general decline in mortgage interest rates over the past year and a half (chart at lower right). Longer-run models, however, suggest that housing starts are running above their demographic fundamentals.



Bill Offers States Leeway on Education Aid

By FRANK BRUNI

WASHINGTON, June 22 — Republican leaders in Congress today unveiled an education bill that builds significantly on their previous efforts to give state and local governments ever broader discretion over the spending of Federal money.

Under the proposal, a state could opt out of the current Federal financing system, which allocates money for specific purposes, and instead use most of that Federal aid as it wishes, provided that the state first enters into a five-year contract with the Department of Education that holds the state to certain performance goals.

If the state failed to meet those goals, which the Secretary of Education would have to approve, the state would return to the old system of financing.

The plan, which would apply to more than \$10 billion in Federal money nationally, faces an uncertain fate. There is not yet a timetable for its procession to the floor of either the House or the Senate, and Democrats in both chambers denounced it as a reckless experiment.

But the extraordinary fanfare with which it was introduced suggested the extent to which Republicans in Congress, eyeing next year's critical elections, have decided to seize education as an issue and make local control their battle cry.

"Education is No. 1 on the Republican agenda," said Senator Trent Lott

of Mississippi, the majority leader, at an early afternoon news conference just outside the Capitol.

Mr. Lott was joined by Speaker J. Dennis Hastert of Illinois. They stood with other lawmakers in front of a yellow school bus brimming with fresh-faced students. Dozens of other children fanned out around the lawmakers, clapping and cheering their assent to each policy point, no matter how arcane.

Mr. Hastert described the bill, which Republicans have titled the Academic Achievement for All Act and nicknamed Straight A's, as a "historic step."

Democrats said the direction of that movement was backward. Representative George Miller, Democrat of California, said it was unclear from the Republican plan how accountable schools would be. Mr. Miller also said states would be able to shift money from poor districts and children to wealthier ones. "Communities will be pitted against each other to lobby their state capitals for school money," he said. "We know how that fight will turn out."

Education Secretary Richard W. Riley issued a statement denouncing the bill along similar lines.

The bill is a far-reaching extension of the philosophy behind the Education Flexibility Partnership Act, or Ed-Flex, which Congress passed with broad bipartisan support this year and President Clinton signed into law.

The law authorizes states to grant

waivers to local school districts that want to spend Federal dollars in ways that differ slightly from the specifically intended purpose. But districts can deviate only so much; money meant to combat substance abuse can be shuttled from a program specified by the Federal Government to one that is not, but the money cannot be used, for example, to improve reading skills.

The new Republican bill, whose chief sponsors are Representative Bill Goodling of Pennsylvania and Senator Slade Gorton of Washington, would allow precisely that kind of reshuffling. Republicans said the safeguard preventing any particular area of education or school district from neglect would be the performance contract, which would oblige states to prove that achievement was not suffering.

Democrats contended that many students could fall by the wayside before the Federal Government was able to determine that a state had fallen short of its goals.

Like Ed-Flex, the new bill would affect slightly more than \$10 billion in Federal money, largely the same pool of money to which Ed-Flex applies. That represents most of what the Federal Government spends on primary and secondary education.

Over all, the Government provides only about 7 percent of the education budget for the nation's public schools, and education experts have said that even striking changes in Federal policy have limited impact.

Senator Hatch Says He Plans To Enter Race for Presidency

By ADAM CLYMER

WASHINGTON, June 22 — Senator Orrin G. Hatch, a Utah conservative who came to Washington to battle Democratic liberals but has moved toward the center on health and children's issues, said today that he would seek the Republican Presidential nomination.

Mr. Hatch, in a series of Senate hallway interviews, praised Gov. George W. Bush of Texas and said the Governor was indeed the favorite for the party's nomination. But the Senator said he would be the party's best hope of defeating Vice President Al Gore if Mr. Bush faltered.

Mr. Hatch conceded that much of the party hierarchy was already committed to Mr. Bush. But he said it could be desirable "to have someone who is not beholden to the Republican establishment," and had a record like his of being able to work with Democrats.

"I'm going to run because I'm tired of the divisiveness up here," Mr. Hatch said. "I think I can bring both sides together."

Mr. Hatch's record over more than a decade of alliances with Senator Edward M. Kennedy, Democrat of Massachusetts, on AIDS, children's health care and summer jobs, has often angered Republicans more insistently conservative than himself — while still leaving moderates and liberals doubtful or hostile.

As chairman of the Judiciary Committee, he has ignored demands from the right to block all of President Clinton's judicial nominees. But

he has stalled enough of them to leave the Administration and the Democratic senators who picked them unhappy, too.

Mr. Hatch sketched a brief Presidential agenda as he moved from one clump of reporters to another. He said he wanted to see the tax code rewritten from thousands of pages to a few hundred and would "strengthen our military."

He said, "It's going to take Presidential leadership and guts to solve Social Security and Medicare." And he said he was concerned "about a racial breakdown in the country," and felt that only a conservative Republican could prevent one.

The 65-year-old lawyer, who won his first public office when he was elected to the Senate in 1976, said it was not just his Capitol Hill experience that qualified him for the Presidency, but "the total experience I've had from birth."

"I was born in poverty," Mr. Hatch said. "You're looking at a former janitor who made 65 cents an hour working his way through college."

The Utah Republican said: "I'm planning on running. I know it's late, but I don't think it's too late."

"Very few people give me a chance," he said, "but my life has been a long string of surprises."

Mr. Hatch's current Senate term ends in January 2001, but Utah law would allow him to run for re-election and the Presidency at the same time.

Senate Backs U.N. Payment, But More Hurdles Remain

By PHILIP SHENON

WASHINGTON, June 22 — The Senate overwhelmingly approved a bill today authorizing the payment of more than \$800 million in back dues to the United Nations but cutting future American contributions to the organization.

The Clinton Administration has agreed to support the bill, after deciding in the spring to drop its opposition to a provision that requires the United States to reduce its share of the regular United Nations budget from 25 percent to 20 percent. The Administration reversed its position as part of a deal to try to win confirmation for Richard C. Holbrooke to the chief American diplomat's post at the United Nations.

The Senate vote to approve the overall bill, 98 to 1, does not mean that the United Nations is about to receive a big check from Washington. Far from it. The legislation, a \$6.4 billion two-year State Department spending bill, now moves to the House, where conservative Republicans saddled a similar bill last year with antiabortion language. That led to a veto by President Clinton.

Republicans are expected to try to resurrect an antiabortion provision that would bar American aid from being provided to groups that lobby abroad for abortion rights, raising the threat of another veto.

The bill approved by the Senate today would provide the United Nations with \$819 million in back dues over three years and forgive \$107 million that the organization owes the United States.

The bill requires that in exchange for providing the money, the United States would cut its overall contribution to the regular United Nations budget to 20 percent, and the American share of the budget for peacekeeping operations from 31 percent to 25 percent.

The reductions would be imposed unilaterally on the United Nations, which is expected to balk at the provisions. The United Nations has in the past opposed efforts by the United States to trim its share of the organization's budget.

Although she initially opposed the proposed cuts in the American contribution to the United Nations budget and other conditions imposed on the repayment of the back dues, Secretary of State Madeleine K. Albright agreed to support the legislation if only to secure Mr. Holbrooke's confirmation as the United States representative at the United Nations.

Congressional officials said the Republican chairman of the Senate Foreign Relations Committee, Jesse Helms of North Carolina, had threatened to block the nomination until he received Ms. Albright's commitment to support the bill, which he spon-

sored along with Senator Joseph R. Biden of Delaware, the committee's ranking Democrat.

The United States and the United Nations continue to argue over exactly how much money is owed to the organization. According to the United Nations, the United States owes about \$1.6 billion; the United States says the figure is closer to \$1 billion.

If the legislation is adopted, the United States would open negotiations with a special committee at the United Nations that determines how much each of the member nations is billed for dues each year. "We'd go to them with the message that Congress won't pay any more than 20 percent of the budget, and the committee will have to find a way to deal with that," said a State Department official.

The only lawmaker to vote against the bill, Senator Paul Sarbanes, a

An effort to pay past dues that has been sidetracked before.

Maryland Democrat, said it was wrong for the United States to impose conditions on the repayment of its back dues. "It's simply unacceptable that the richest nation on earth is also the biggest debtor to the United Nations," he said.

But Senator Biden said the bill offers the only hope for repayment of the back dues owed by the United States. "In an ideal world I'd like to pay our arrears to the United Nations in full with no conditions," he said. But he added, "Our choices are this or nothing."

Today Mr. Holbrooke, who now seems assured of confirmation as chief United States delegate to the United Nations, reaffirmed his support for the provisions in the Senate bill and pledged to the Senate, "that I will make it my highest sustained priority to make it work."

In the second of three days of confirmation hearings before the Foreign Relations Committee, Mr. Holbrooke, a veteran diplomat and the former American Ambassador to Germany, said today that "budgetary discipline will be my watchword."

The bill passed by the Senate also calls for \$3 billion to be spent during the next five years to step up security at American embassies around the world, an amount requested by the Clinton Administration in the aftermath of the bombing last year of the embassies in Kenya and Tanzania.

The DLC Update

Join us for the
1999 DLC Annual Conference
"The New Politics of Globalization"
 See www.dlcppi.org for details.

The Democratic Leadership Council

Monday, September 27, 1999

Idea of the Week: A New Bargain for Public Schools

Most federal aid to education has been traditionally based on an old bargain that no longer works: Washington offers money to states and school districts based on need, and then micro-manage how it is used, with little or no attention to what it produces in the way of educational results. While it has done much good to offset the financial inequities inherent in schools due to widely varying local revenue bases, it has also rewarded failure as often as success. That is why the disparities in education levels between poor and middle- or upper-class Americans—that justified federal aid to education to begin with—are getting worse, not better, at precisely the time when education and skills loom larger than ever as a factor determining individual opportunity.

This year's reauthorization of the Elementary and Secondary Education Act (ESEA)—the primary vehicle for federal aid—offers Congress the chance to reinvent federal education policy for the Information Age. In addition, there is finally a legislative package on the horizon that would accomplish the kind of dramatic shift in strategies the country needs: DLC Chairman Sen. Joe Lieberman's (D-CT) Public Education, Reinvestment, Reinvention, and Reinvigoration Act

Lieberman's "Three R's" bill (along with a House counterpart that Rep. Harold Ford (D-TN) intends to offer) is based in large part on the Progressive Policy Institute's report, *Toward Performance-Based Federal Education Funding*, by Andrew Rotherham, President Clinton's Special Assistant for Education Policy. In some respects, it is a more sweeping variation on the Clinton Administration's proposal to link federal education aid to accountability for educational results. It also draws on bipartisan proposals from the Governors to provide greater flexibility in administering federal education funds by consolidating a variety of programs. More fundamentally, it redefines the federal role in education and offers states and poor school districts a new bargain: strong federal support and broad administrative flexibility in exchange for a commitment to reform, innovation, and the achievement of measurable results in closing the gap between good and bad public schools.

Lieberman's "Three R's" plan would:

- ◆ Reconfigure the Title I compensatory education program for disadvantaged students by increasing the targeting of funds to the poorest schools, requiring steady progress toward the goal of ensuring math and reading proficiency for all children, demanding radical action to improve or close poor-performing schools, and raising overall funding by more than 50 percent.
- ◆ Consolidate teacher training programs into one grant focused on raising the quality of teaching as well as the quantity of qualified teachers, with strict performance standards.
- ◆ Streamline bilingual education programs while making it clear the goal of bilingual instruction is to achieve student proficiency in reading, writing, and speaking English.
- ◆ Strengthen federal efforts to provide parental choice among public schools, including universal information on school, student and teacher performance, school safety, access to technology, and physical conditions; while encouraging more performance-based "charter" schools.
- ◆ Consolidate all other K-12 programs into a single fund that would encourage innovation and experimentation on a broad array of educational challenges.
- ◆ Introduce a regime of accountability throughout all federal education programs that would reward success and punish failure according to simple performance measures.

In effect, Lieberman's bill combines the best ideas for improving public school performance from every direction. But it does not endorse the dubious logic of Republican schemes that demand accountability without standards for public

schools, and no accountability at all for private schools receiving public funds.

If lawmakers in both parties believe half of what they say about the critical importance of improved education in an Information-Age global economy, they should get behind Lieberman's bill as an urgent priority.

Bad Company in Seattle

The AFL-CIO recently announced it intends to send 15,000 members to Seattle at the end of November to participate in events surrounding the World Trade Organization (WTO) ministerial summit. The labor federation's web site outlines the need for a strong labor presence in Seattle to ensure that trade negotiators from around the world understand the need for including workers' rights in future trade liberalization efforts conducted under WTO auspices.

To be sure, stirring a healthy debate over workers' rights keeps faith with a progressive vision of globalization. But we hope leaders of the labor movement also recognize the necessity of keeping their distance from the virulent anti-globalization forces marching on Seattle. The WTO talks have become the target for a truly weird international initiative to demand an immediate and unconditional halt to any discussion on liberalizing trade or investment, and then a rollback of earlier trade agreements to reverse the alleged damage to Mother Earth and her many children.

A manifesto signed by approximately 1,100 organizations from 87 countries makes it abundantly clear that the "battle in Seattle" is not intended to be a calm and reasoned dialogue. "The Uruguay Round Agreements," it says, referring to the last major series of trade liberalization efforts, "have functioned principally to prize open markets for the benefit of transnational corporations at the expense of national economies; workers, farmers and other people; and the environment....We oppose any further liberalization negotiations. We commit ourselves to a campaign to reject any such proposals." Signatories include a rich broth of Marxists, anarchists, pacifists, animal-rights groups, Greens, a few trade unions, and third-world advocacy groups. The groups plan a giant bus caravan across America to Seattle, which should provide a fine autumnal diversion for the decidedly capitalist and carnivorous heartland populace along the route.

More ominously, some of the fringe groups headed for Seattle seem ready for a reprise of 1960s-style guerilla street action. According to the September 20, 1999 issue of *The Financial Times*, "a small group of self-described 'top-flight hell-raisers' from across the country spent last weekend at a special 'Globalize This!' action camp...the aim was to fine-tune their skills in non-violent action techniques and civil disobedience so they can train others." The venerable Industrial Workers of the World (a.k.a., "Wobblies") has called for a sort of general strike to "Shut Down Sea-Town" on the day the WTO meetings begin. It's all beginning to look like last summer's "Carnival Against Capitalism" in London, which got out of hand and then violent.

We are sure the U.S. labor movement does not share such loony views or loopy plans. Our hope is that their presence in Seattle will serve to spur a genuine dialogue, and not converge with a movement that wants to radicalize Seattle into a "happening" that may well wind up resembling Chicago '68 or Woodstock '99.

With Friends Like These

Congressional Republicans are forever telling the business community that it needs to put all its eggs into the GOP basket, forswearing any assistance to Democrats and even firing staff people with Democratic backgrounds from every trade associations or government affairs office. "We're your friends," they say. "We'll never let you down."

Next time any business executive interested in international trade gets this kind of call from a GOP fundraiser or enforcer, the caller should be asked why the trade community's "friends" in Congress went out of their way this week to deep-six any prospects for congressional action on permanent normal trade relations (NTR) for China, without even pausing to see what eventual deal U.S. trade negotiators may strike as part of China's accession to the WTO.

"I don't think it's possible to get permanent NTR," said House Majority Leader Dick Armey, in a statement virtually guaranteed to undermine ongoing negotiations with China. Senate Majority Leader Trent Lott cited Congress' "busy legislative schedule" in agreeing there just was no time for an NTR vote this year. Lott is also blocking action on the Africa Trade Bill and extension of the Caribbean Basin Initiative, the only other trade measures on Congress' plate. Sorry, we're just too busy.

That's a howler. What, exactly, is the GOP Congress so busy with this year, other than waiting around for its leaders to figure out how to get out of the budgetary box they have constructed for themselves? Maybe they are too busy intimidating business lobbyists with demands that they support their "friends."

Mrs. Dole hints at move to right on gun control

By Ralph Z. Hallow
THE WASHINGTON TIMES

Elizabeth Dole appears to be softening her gun-control stance in an effort to expand her appeal beyond Republican women.

She was mum on the House impasse on gun control last week and now says, through a spokesman, that she blames the Democrats for failure to pass anything.

The former Red Cross president is the only GOP presidential nomination contender to support gun control. She appears to be edging away from that emphasis under the influence of her new campaign adviser, Tony Fabrizio, the conservative strategist who advised her husband's 1996 presidential campaign.

GOP analysts speculate that she may be positioning herself to be more acceptable to Texas Gov. George W. Bush as his running mate if he wins the GOP nomination — or to any other Republican who is nominated next year.

"On issues like gun control and abortion, she's running — and is boastful about — a left-of-center campaign that has already been tried by [former California Gov.] Pete Wilson and [Pennsylvania Sen.] Arlen Specter in the 1996 campaign," said Greg Mueller, a consultant to Steve Forbes' GOP nomination campaign. "And they didn't even make it to Iowa."

"So she is now being advised not to talk any more about guns," Mr. Mueller said. "She is being told, 'We got some press out of it but we are at war with the base and can't win the nomination that way.'"

Mr. Bush, campaigning in South Carolina on Monday, said he would have voted for the bill sponsored by the pro-gun Michigan Democrat, Rep. John D. Dingell, that failed to pass the House last week.

Most Democrats argued that the measure would have weakened gun laws by shortening the waiting period for "instant checks" at

some gun shows. The strategy of pro-gun lawmakers and their allies was to support the Dingell bill as the least of available evils.

Dole campaign spokesman Ari Fleischer said the candidate had no comment after the House debate because "her position was already made known."

He said she thinks "it is time for the Democrats to work with the Republicans to get something done [on gun control]. She thinks the Democrats would prefer no solution to some solution. She blames the Democrats."

Mrs. Dole "is more attuned than most on the Republican side when it comes to the availability of guns for children and criminals," said Brian Morton, spokesman for Handgun Control Inc. "Even Republican polls show that more than 80 percent of Americans want sensible gun control after Littleton."

Although some Republicans close to Mrs. Dole's advisers detect a conservative shift in her positions, even some of these observers aren't sure how far right Mrs. Dole will move.

"Tony [Fabrizio] may be turning her around, but I think she has been styling her campaign to appeal solely to women," one GOP consultant confided.

"No question, there's a huge gender gap on guns," he said. "We even have a significant number of GOP women who favor stronger gun control. The strategy she wants to communicate to G.W. [Bush], [Arizona Sen. John] McCain or anyone else who might be the nominee is that she is the bridge to women."

He said Mrs. Dole "was tilting it toward her constituency, women, but she went too far. There will probably be a little backtracking."

South Carolina GOP Chairman Henry McMaster said favoring gun control will not help a GOP candidate in his state, yet Mrs. Dole is popular there.

Rights groups challenge Bush voucher plan in Florida

On Monday, Mr. Bush fulfilled a campaign promise by signing into law a sweeping series of education reforms. Among them is a measure that assigns grades from A to F to each of Florida's public schools, based on standardized test scores.

"The state constitution says it's the state's duty to provide a uniform system of adequate public schools," said Andy Kayton, director of legal affairs for the ACLU of Florida. "This does just the opposite. It abandons public schools."

Attorneys representing the American Civil Liberties Union, National Association for the Advancement of Colored People and a handful of other civil rights organizations filed a complaint in state circuit court in Tallahassee to block the implementation of the

TALLAHASSEE, Fla. (Reuters) — Civil rights groups filed suit yesterday to stop Florida's school voucher plan, a day after Gov. Jeb Bush enacted the first such statewide program in the nation to help parents of students in failing schools pay for private education.

GOP bill gives states freedom in schools spending

By Sean Scully
THE WASHINGTON TIMES

Congressional Republicans yesterday introduced the third leg of their education strategy — a bill to give states broad freedom to use federal grant money as they see fit.

Current federal policy "has put a wedge between accountability, freedom and results," said House Majority Leader Dick Armey, Texas Republican. "It did not serve our children well."

The bill would give state and local schools more control over most of the \$15 billion in federal funding every year. That, supporters say, would free them from the paperwork and tight guidelines imposed under current funding programs.

To make up for the loss of direct federal control over the money,

states would be required to demonstrate improved student test scores of at least 25 percent over five years. States that fail that test would revert to the current system.

Nina Shokraji Rees, an education policy analyst at the Heritage Foundation, said the bill "focuses on outcomes rather than inputs" and rewards states that excel academically. The proposed legislation is modeled on successful education reform initiatives in Texas, where more freedom has brought results, she said.

"It's probably the most important piece of legislation offered in this Congress" on education, she said. "It's not a block grant; it's not vouchers ... it's a very common-sense approach."

This is the third part of the GOP

The new education program, known as 'Straight-As,' is similar to 'Ed-flex,' but gives states even more ability to shift federal money among unrelated programs.

education strategy, said House Speaker J. Dennis Hastert, Illinois Republican. The first part — known as "Ed-flex" — passed earlier this year and was signed by the president. That bill expanded a 12-state pilot program that gave them increased freedom to spend about \$11 billion in federal funding.

The new program, known as "Straight-As," is similar to Ed-flex, but gives states even more ability

to shift federal money among unrelated programs.

The other part of the GOP agenda — known as educational savings accounts — passed last year but was vetoed by the president. That bill would have allowed parents to put money in a tax-free savings account to pay for elementary and high school education expenses — including private schools.

"Education is No. 1 on the agenda for Republicans," said Senate Majority Leader Trent Lott, Mississippi Republican.

Republican leaders have been eager to trumpet their education bills since their disappointing showing in last fall's election. Despite early predictions otherwise, Republicans lost five seats in the House and held even in the Senate. Many Republicans say the party allowed Democrats to seize the initiative on issues such as education, an oversight they blamed party on former House Speaker Newt Gingrich.

Republicans spared no effort to play up the new education bill yesterday, trucking in school students from as far as Colorado to serve as a backdrop for a parade of party leaders.

The GOP has long tried "to change the focus of funding education, from process to results," said House Education and Workforce Committee Chairman Bill Goodling, Pennsylvania Republican.

But Democrats quickly attacked back. At yesterday's event, an Education Department staffer distributed a statement from Secretary Richard W. Riley branding the GOP proposal the "Anti-Accountability Act."

"In their zeal for quick fixes and silver-bullet solutions," said Mr. Riley, the GOP fails "to ensure that federal resources are spent effectively on practices that work."

"It could, in fact, serve as a gateway to private school vouchers by enabling states with those kinds of programs to use public dollars to support them," he added.

The Washington Times

WEDNESDAY, JUNE 23, 1999

Page One Feature

Pentagon's Schools Outrank Others in Academic Success

By DANIEL GOLDEN

Staff Reporter of THE WALL STREET JOURNAL

FORT KNOX, Ky. -- If the schools on this U.S. Army base were lagging in standardized-test scores, they would have plenty of excuses. Their students are poorer and more racially diverse than the national average, and only 60% finish the school year where they started it.

Instead of struggling, however, the schools the Pentagon runs at Fort Knox and other U.S. military bases are defying demographics by acing the National Assessment of Educational Progress, a federal exam regarded as the best gauge of pre-college academic performance.

In the 1998 NAEP eighth-grade writing exam, for example, military bases in the U.S. ranked No. 2, second only to Connecticut, among 39 states and jurisdictions. In reading, their eighth-graders tied for fourth out of 43. Of the 13 NAEP tests the schools have taken at home and abroad in various grade levels and subjects since 1994, only once have they failed to top the national mean.

Bound for College

But tests aren't the only measure of the system's success. The U.S. Defense Department says that its schools are sending more than 80% of their graduates to college, well ahead of the overall national rate of 67%. And parent satisfaction is so high that the department has had to crack down on those trying to sneak their children back into the system after leaving the military or moving off base.

Most astonishing to those who have studied the NAEP results is the Pentagon's record with low-income and minority children. At least half the 34,000 students at its 71 domestic base schools qualify for free or reduced-price lunches under the federal school-lunch program because their parents are on the low end of the military pay scale. Forty percent of the system's students are black or Hispanic -- 10 percentage points above the public-school average.

But 35% of the students in the base schools' lunch program demonstrated writing proficiency last year, almost as high a rate as the 40% among their other students. Nationally, only 10% of such low-income students achieved proficiency. And 26% of black students and 32% of Hispanic students scored at or above proficiency, far exceeding national averages of 7% for blacks and 10% for Hispanics.

Debunking a Notion

"This debunks the notion that demography is destiny," says Roy Truby, executive director of the National Assessment Governing Board, which oversees NAEP. "It's one of the most encouraging things I've ever seen."

Ray Tolleson, interim director of the Pentagon schools, says they are so effective because they spend extra time and effort training teachers and trying to involve parents in school life. Military authorities grant service members release time -- typically, an hour a week or a half-day a month -- to volunteer in the schools. At Fort Knox, every school also is adopted by an Army unit, which may do anything from mentoring to proctoring.

"We've found a blueprint for success," says Gen. Patrick K. Gamble, commander of the U.S. Air Force in the Pacific and an adviser to the schools, which require 24 credits for graduation, two or three more than most states demand.

Hard to Replicate

Of course, some aspects of the military formula would be hard to replicate in civilian life. The domestic base schools, which are funded from the Pentagon budget, spend \$7,279 per pupil. That's about 23% more than the national average and 26% more than Fort Knox's neighboring Hardin County school district, which depends on local taxes and state and federal aid. The Pentagon says it uses the extra funds for such things as staff training, art and music classes and technology. While class sizes are about the same as the national average, a higher proportion of teachers at the

There Are Things We Can Learn From The Schools On Military Bases

By William Raspberry

WASHINGTON -- Sometimes I think there are just two kinds of people in the world: those who know easily and precisely why so many of our schools aren't working very well and those who, no matter how earnestly they struggle over the question, can't quite manage to figure it out.

The first group is by no means of one mind. Their dead-certain answers involve everything from phonics to teachers colleges to direct instruction; from poverty and racism to prayer and vouchers and corporal punishment.

The second group, of which I am decidedly a member, will grant that portions of the dead-certain answers frequently make sense but will insist that they don't explain enough. Nor do we accept the notion that indifference and incompetence on the part of teachers is the main ingredient of failure.

I have said - and still believe - that the inability of some parents to get their children ready for school learning is a huge part of the problem. Still I keep probing for some more comprehensive explanation.

And for good reason. Every explanation will find its refutation somewhere. A touchy-feely approach, a secular outlook, a penny-pinching budget - all will, somewhere, sometime, produce exemplary results.

How - to take the question that really sparked this column - does one explain the unusual success of some of the schools on America's military bases? Eighth-graders in these 71 schools as a group were outperformed in writing by only one state - Connecticut - on the 1998 National Assessment of Educational Progress. They tied for fourth place in reading.

According to The Wall Street Journal's Daniel Golden, it isn't just test scores that make these schools special. Eighty percent of the graduates of these military base schools go on to college - the national rate is 67 percent - even though many of them switch from one school to another several times during their school years, meaning that they have to catch on to new teachers and make new friends again and again.

Poverty? Half the 34,000 students in these schools qualify for free or reduced-price lunches - an accepted measure of poverty - because their parents are in the bottom pay ranks. Two out of five are either black or Hispanic, but they achieve at or above proficiency at rates far exceeding those of the civilian world.

How do these schools succeed where their nonmilitary counterparts so often fail?

Several possibilities come to mind - some of them pedagogical, some relating to the involved presence of parents, particularly fathers - but here, for want of knowledge to the contrary, is my first choice:

These children have parents who believe that their own efforts - not race, not special gifts, not breaks - are the chief determinant of their success. It's a point researchers who examine the American military keep coming to: Service members believe that the military for all its shortcomings is fairer than the civilian world, believe that the requirements for advancement are clear, attainable, and (usually) fairly administered.

If they didn't believe these things, of course, they'd hardly stay in military careers. Their nonservice counterparts, just as obviously, cannot quit the civilian life just because they think it's unfair.

My guess - and that's all it is - is that people who believe they can achieve based on their own efforts tend to raise children who share that belief. Military children, I am suggesting, may have an unusual degree of academic success because they hold to an unusual degree the empowering belief that they are in control of their destinies.

Too many poor and minority children in the civilian world are inclined to harbor the disempowering view that life is unfair, that breaks are haphazardly distributed, and that race is a near-insuperable barrier to success.

There are other possible explanations for the disproportionate achievement of military schools, and some of them - the presence of fathers who are both self-disciplined and accepting of military discipline, for instance - are quite attractive.

Which are the correct explanations?

I don't know, but I can tell you this: If I were running a failing school system, I'd surely try to find out.

William Raspberry is a syndicated columnist.



"Wong, Felicia" <Wong.Felicia@hq.navy.mil>
01/20/2000 04:04:13 PM

Record Type: Record

To: Shirley S. Sagawa/WHO/EOP
cc:
Subject: Department of Defense schools

Shirley --

It was good to speak with you yesterday. I have forwarded the brief memo that I sent to the folks here in Sec. Danzig's office about 1) the performance levels of these DoD schools; and 2) suggested ideas for a DoD-ED partnership on this issue. I have also attached two articles, one by Dan Golden of the Wall Street Journal, and one by syndicated columnist William Raspberry, on this issue. (Let me know if you can't open the attachments.)

I am not sure about the direction any potential partnership should take, or whether the WH would want to be involved. Informally, I have been talking to people in DoDEA (the agency that actually runs the DoD schools) as well as to people at ED (in Mike Cohen's office and the Office of the Secretary) about this. People seem intrigued, and I'm looking to formulate some next steps. Any ideas or thoughts you have would be most welcome.

Thanks again,

Felicia
703/693-5701

<<golden.dodschoools.12.22.99.doc>> <<raspberry.dodschoools.12.99.doc>>

> -----Original Message-----

> From: Wong, Felicia

> Sent: Wednesday, December 29, 1999 12:26 PM

> To: Lee, Robert E; Stavridis, James

> Cc: Edwards, Gene H; Cosgriff, Kevin J

> Subject: civil-military opportunity

>

> Sirs:

>

> In the past week, both the Wall Street Journal and the New York Times have
> run columns (by Daniel Golden and Anthony Lewis, respectively) on the
> remarkable academic record of DOD schools. This is a story that has legs.
> I believe that the civilian call to "learn from the military's educational
> successes" presents an opportunity to help bridge the civil-military gap
> about which the Secretary, among others, is so concerned.

>

> Some of the basic facts, all taken from the National Assessment of
> Educational Progress (NAEP), which is administered by the Department of

> Education:

>

> * DOD runs 71 domestic schools and 153 schools overseas; the domestic schools enroll 34,000 children, making them the equivalent of a small urban school district.

> * In the last 6 years, DOD students have taken 13 NAEP tests, and scored above the national mean on 12.

> * More than 80% of DOD school graduates go on to college, compared to 67% at other public schools.

> * More than half of the students at domestic base schools qualify for free or reduced-price lunch, which is an indicator of low family income, and yet they scored almost as well on reading tests as better-off students.

> * 40% of the students at base schools are black or Hispanic. On writing proficiency, 26% of the black students scored at or above passing, as compared with 7% nationally; 32% of Hispanics scored at or above passing, as compared with 10% nationally.

>

> These numbers are significant. Over the past several years, education has ranked as a top concern in American public opinion polls, and the education of poor, predominantly African-American and Hispanic children has long been the most difficult and intractable problem for school reformers. The success of the DOD schools presents a rare research opportunity for educators who want to do a comparative analysis of high- and low-performing schools that otherwise have similar demographics.

> Therefore, it is not surprising that the success of DOD schools has attracted civilian attention. (FYI, Lewis says that these are "remarkable facts about a little-known institution...[that] leave us with important questions about what makes those schools work and how our society can learn from their success.") If there are lessons that other public schools can learn from those run by DOD, then, I believe, DOD should make this as easy as possible. Of course, such an effort could have payoffs well beyond the realm of education.

>

> Because, I believe, the schools are run by DOD and not one of the services, reaching out to the civilian education community would first require some internal DOD work. After that, some of the ways in which DOD could best offer its assistance to interested civilian educators might include:

>

> * working with the NAEP and the Office of Educational Research and Improvement (another research organization within the Department of Education) to assess further why DOD schools perform so well;

> * partnering with the major teachers' organizations, the American Federation of Teachers and the National Education Association;

> * partnering with major private foundations that have education as a core mission; and

> * partnering with top university education schools.

>

> Of course, as far as I am able, I would be happy to assist with any such effort. (In the interim, I will forward you the two news articles once my intranet access, now down, is up and running.) Beyond that, please let me know what, if anything, I can next do on this matter.

>

> Thanks,
>
> Felicia

 - golden.dodschools.12.22.99.doc

 - raspberry.dodschools.12.99.doc

THE PUBLIC AGENDA FOUNDATION



January 8, 1998

Shuler
FM

Ms. Melanne Verveer
Chief of Staff to the First Lady
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Ms. Verveer:

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Deborah Wadsworth
PUBLIC AGENDA

MEMBER EMERITUS

Frank Stanton
FORMER PRESIDENT, CBS INC.

We begin the year with a new education study. Public Agenda's latest research -- a "Reality Check" -- was designed to assess the impact of the movement to raise academic standards. College professors of freshmen and sophomores and employers of high school and college graduates reach dramatically different conclusions from parents, students and K-12 teachers over the academic preparedness of public school students. Funded by the Pew Charitable Trusts, "Reality Check" is a special feature of *Education Week's* annual *Quality Counts* report, and I have enclosed a copy for your review.

In "Reality Check," students told us their schools emphasize academic achievement, but that most of their classmates do the bare minimum to get by. Parents say their states and school districts are raising academic standards, but few know how their children's skills measure up to those of students in other regions. While nearly half of K-12 teachers state they expect more from students due to local standards, a similar number report their expectations of students have *not* changed. And college professors and employers are deeply troubled about high school graduates' academic abilities. What emerges from this mixed picture is a sense that the standards movement lacks teeth, although it is clear that the word is out on the need for academic standards to be higher.

Based on these surveys, parents, kids, and teachers are all talking about the need to do better. Good intentions may produce results, but the judgments of the professors and employers are sobering. If parents, teachers, and students don't really grasp what the outside world expects of them, we are witnessing a communications gap of enormous and potentially devastating consequences.

Sincerely,

Deborah Wadsworth
Executive Director

Public Agenda: Reality Check

► The push for standards has caught hold, but not everyone agrees on whether it's having an effect.

Parents, teachers, and students are tuned in to the movement to raise academic standards in their public schools, but such reforms have yet to heighten expectations on a day-to-day basis, a new survey from Public Agenda reveals.

And the typical high school graduate still lacks the skills needed to succeed in work or college, according to employers and college professors surveyed by the New York City-based nonpartisan, non-profit research organization.

These are the chief findings from the first in a planned series of annual studies by Public Agenda on the progress of the standards movement—a "reality check" on the impact education reform has had in schools and classrooms. Responding to telephone surveys, 700 K-12 public school teachers, 700 parents, 700 middle and high school students, as well as 250 employers and 250 college professors, evaluated their local public schools.

Among the questions they were asked: Are students graded on how hard they try or what they know? Are teachers expecting more from students and are parents supporting these efforts? Are parents aware of academic standards, and what is their basis for judging their children's progress? Is help available to teachers and students when they need it? Are employers and professors seeing graduates who have the skills needed to hold their own?

The Word Is Out: The vast majority of public schools are working under the standards banner. Virtually all K-12 teachers (98 percent) and 82 percent of parents say that, based on their knowledge, their states or school districts have set guidelines for what students are expected to learn and know. Students also report that academics are front and center: 90 percent say their schools place a heavy emphasis on academics and getting high grades.

Moreover, academic standards seem to be a frequent topic of discussion. Almost nine in 10 public school teachers (88 percent) say improving academic performance has been formally discussed among the faculty and administrators in their schools. Large majorities of employers (78 percent) and professors (76 percent) also report they are aware of their local schools' efforts to raise academic standards.

Parents concur that academic achievement is being talked about. Only 26 percent of parents say that improving academic performance gets "too little attention" at the meetings they attend. "The big push in the

country is for the schools to get back to standards," said one New York City parent. "Everyone is talking about the standards ... and getting tougher with kids."

What's more, standards are widely seen as a positive force in improving academic achievement. Overwhelming majorities of parents (82 percent), teachers (77 percent), employers (92 percent), and college professors (89 percent) believe setting guidelines for what students are expected to learn and know helps improve academic performance.

Employers and Professors Dissatisfied: But the ultimate "consumers" of the public schools—employers who make hiring decisions and professors who teach college freshmen and sophomores—say today's high school graduates are seriously unprepared for work or college. Their judgments about the academic skills of the young people they see are almost the exact opposite of judgments made by teachers, parents, and the students themselves.

While high school teachers (66 percent) are confident that most or all of their students have the skills necessary to succeed at work, nearly the same number of employers (68 percent) disagree and say the graduates they see are not ready to succeed. And even as the vast majority of students (71 percent) say they definitely plan to go to college, the professors who will teach them harbor serious doubts about their academic skills. Over half the professors surveyed (52 percent) say the students they see lack the skills necessary to succeed in college.

Similarly, employers and professors are at odds with the other groups when it comes to judging the performance of local schools. About seven in 10 employers (69 percent) and college professors (68 percent) say that based on their experience, local public schools do only a fair or poor job. In sharp contrast, teachers, students, and parents overwhelmingly give local schools good or excellent ratings (93 percent, 77 percent, and 72 percent, respectively).

Fifty-five percent of employers and 66 percent of professors think local public schools expect too little, and even larger majorities believe most students would benefit from being pushed harder when it comes to academics. Asked to compare standards in local public and private schools, professors are more than twice as likely to give private schools the nod (49 percent vs. 21 percent). Employers are even more likely than professors to say that standards are higher in private schools (63 percent vs. 15 percent).

Employers and professors also put little faith in the value of a high school diploma. Seventy-six percent of professors and 63 percent of employers believe a diploma from a local public school is no guarantee that a typical graduate has learned the basics. A New York City employer complained that even the college graduates he works with often lack basic skills: "They can't spell. ... And there are other major flaws in their memos. The tenses are not consistent and all kinds of things are wrong. It all goes back to the schools." In contrast, relatively

few teachers (26 percent), parents (32 percent), or high school students (22 percent) express serious doubts about the academic value of a high school diploma.

A More Pessimistic Urban Story: While the perceptions of urban and nonurban parents and students are generally quite similar and positive, teachers in urban areas often voice misgivings about their schools and students that are closer to those of employers and college professors. Only one in five urban high

school teachers (19 percent) believe all or most of their students have the skills needed to do well in college, compared with nearly half (47 percent) of nonurban teachers. Urban high school teachers are also less likely to say their students have the skills needed to succeed in the work world than their nonurban counterparts are (57 percent vs. 71 percent).

No Blanket Condemnations: Despite their serious concerns, the critique employers and professors make is far from a blanket condemnation of public schools. They clearly distinguish between areas of success and failure. Their diagnosis: High school graduates disappoint most when it comes to basic academic skills.

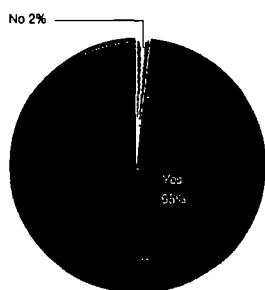
Continued on Page 74

Ultimately, it is a weakness in basic academics that frustrates employers and professors most.

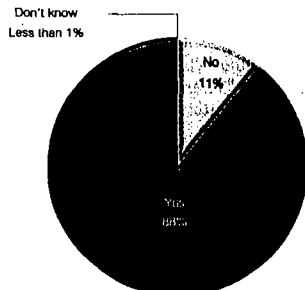
There's Progress, but Standards Seem To Lack Teeth

K-12 Teachers Nationwide

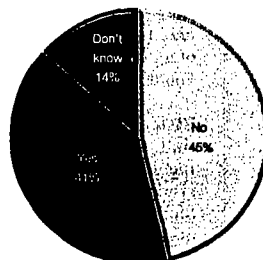
Has your state or school district set guidelines for what students are expected to learn and know?



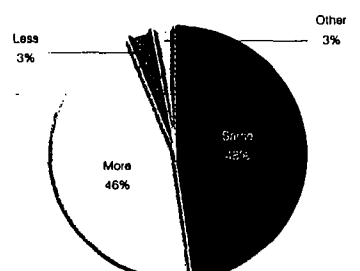
Has the topic of improving students' academic performance been formally discussed at your school?



Does your school automatically promote students who have reached a maximum age?

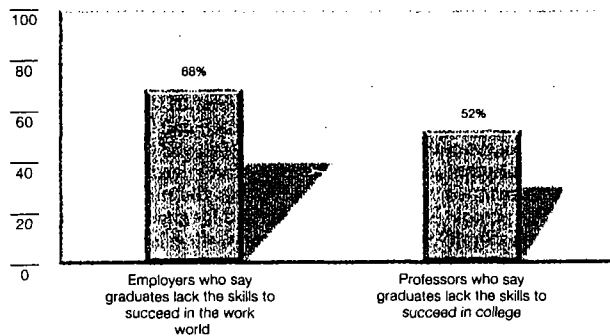
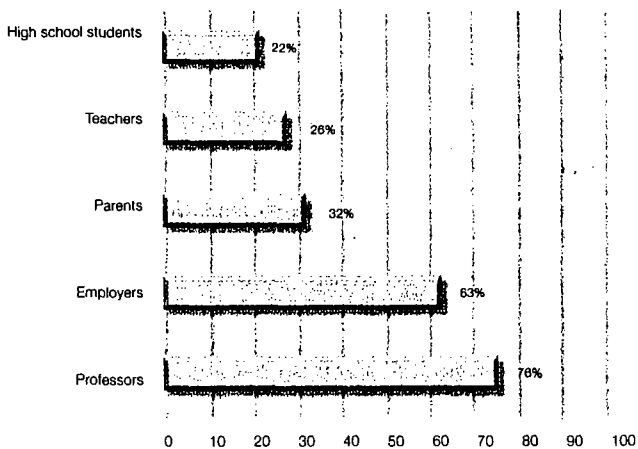


Have these guidelines caused you to expect more from your students, less, or about the same amount as before the guidelines were set?



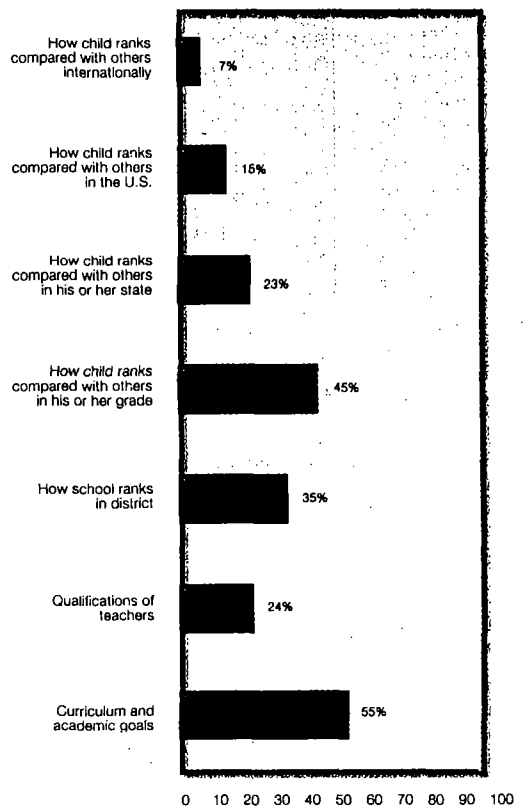
Does a Diploma Guarantee the Basics?

► Percent who say that a high school diploma from their local public schools is no guarantee that the typical student has learned the basics



What Do Parents Know?

► Percentage of parents who say they know "a lot" about:



SOURCE: Public Agenda, 1998.

Continued from Page 72

Large majorities of employers and professors give public school graduates fair or poor ratings on their ability to write clearly, on the quality of their grammar and spelling, and on basic math skills. On the other hand, recent graduates do markedly better on the much-discussed "new basic skills" essential to the modern economy. Most employers (65 percent) and college professors (63 percent) say they are satisfied with the ability of recent graduates to work effectively with others. High school graduates also get relatively good ratings on their computer skills (53 percent of employers and 61 percent of professors rate these as good or excellent).

Business people (67 percent) echo what standards advocates often say in support of higher academic expectations—that in today's economy their companies need workers with better skills than in the past. But ultimately, it is weakness in basic academics that disturbs and frustrates employers and professors most. Indeed, their judgment about the quality of current public schooling is often grim.

Routines in Place:

Teachers, parents, and students surveyed by Public Agenda have both positive and negative things to say about what goes on in classrooms. Both teachers and students say, for example, that most students attend school regularly (88 percent and 76 percent, respectively), consistently show up for class (96 percent and 78 percent), and hand in their assignments on time (83 percent and 97 percent).

More than half of teachers (57 percent) say that all or most of their students regularly ask questions that show interest in learning and consistently put a lot of effort and care into schoolwork (again, 57 percent). Perhaps not unexpectedly, students themselves (75 percent) say they often put a lot of effort into their work, although only 30 percent say they often feel enthusiastic and excited about school. And—in what may be considered a major piece of good news—half the high school teachers surveyed (50 percent) say the number of students taking advanced-placement or honors classes has increased over the past few years.

What Do Students Know? But the standards movement has yet to accomplish what is arguably the critical element of its reform agenda—that schools ensure that students demonstrate a clear command of specified academic content. Just half (49 percent) of teachers say the staff members in their schools pass students only if they learn what they are supposed to know. Forty-eight percent say the teachers in their schools pass students to the next grade as long as they try hard and attend class regularly. Similarly, nearly half (48 percent) say that at their schools

teachers are more likely to grade students by how much progress they show over time rather than what they should know (47 percent). This is despite the fact that teachers overwhelmingly say they believe it is worse to pass a struggling child to the next grade than to hold that student back (81 percent vs. 15 percent).

Nor are these cracks in accountability limited to teachers. They seem to extend to, or perhaps from, school and district policies. About four in 10 teachers (41 percent) say their schools' policy is to automatically promote students once they reach a maximum age. "So they promote you out of elementary school because of age, and they promote you out of middle school because of age," a Los Angeles teacher said. "Then after that you are on your own—16 years is the cutoff."

Students With Little To Fear: Students confirm that, in practice, it doesn't take much to avoid a failing grade. Almost three in four (73 percent) say most students do the bare minimum needed to get by, and 39 percent say their teachers "hardly ever give F's even when that's the grade kids deserve." A student

from Los Angeles said: "Kids probably don't get failed, they just get passed. Teachers give them a D or a C. They don't fail them—they just let them go." Meanwhile, only 14 percent of teachers report an increase in the number of students getting left back; 58 percent say the number has stayed about the same, and 22 percent say it has gone down.

Many teachers and students report that when students do fail and end up in summer school, muddling through seems to be a frequently accepted mode of operation. Forty percent of students and half of teachers (50 percent) say summer school is just something students do because they have to, and they are not expected to learn much. "Instead of working hard

for nine weeks and passing," said a Birmingham, Ala., student, "they will flunk out and work four weeks easy—because summer school is nothing. The way they talk about it, you just fly through real easy." Fifty-eight percent of teachers say summer school classes are academically easier than school year classes.

Are Standards Lower in Urban Schools? Urban teachers seem to have even more doubts about their schools' willingness to enforce academic standards: Only about one-third (34 percent) of urban teachers say that in their communities public schools have higher academic standards than private schools, compared with 59 percent of nonurban teachers. Urban teachers are also somewhat more likely than their nonurban colleagues to report that their schools automatically promote students who have reached a maximum age (47 percent vs. 39 percent). "They have done everything possible to stop you from giving a D or an F," said a Los Angeles teacher. In the same focus group another teacher said, "Somewhere along the line ... the

message came from higher up that they needed to lower the standards for children in high-impact neighborhoods. Give the kids 50 points for coming to take the final, lower your D to 35 percent, whatever it takes to get kids passing." Capping this sense of weaker expectations, 37 percent of urban teachers say a high school diploma from their local schools does not guarantee a student has learned the basics, compared with just 21 percent of nonurban teachers.

No Ratcheting Up: In contrast to concerns expressed by many advocates of higher standards, teachers seem to be getting reasonably clear guidance on what they should be covering. Nearly seven in 10 teachers (68 percent) say they get most of their information about what students should learn and know from district or state materials, and more than half (57 percent) say most of their colleagues have changed the way they teach as a result. More than eight in 10 teachers report that the staffs at their schools consistently cover the same material when teaching the same grade or course (82 percent of middle and high school teachers and 89 percent of elementary teachers).

But to hear teachers tell it, state or district standards have clearly not precipitated a broad ratcheting up of academic expectations. While 46 percent of teachers say local standards have caused them to expect more from students, 48 percent report that their expectations have remained the same.

In contrast to the dissatisfaction of employers and college professors, most parents believe schools are doing well at enforcing standards. Seventy percent of elementary school parents think their schools do a good or excellent job of requiring students to demonstrate basic knowledge before allowing them to be promoted to middle school. Similarly, a majority of middle school parents (66 percent) describe their schools' requirements for promotion to high school as good or excellent. The obvious next question is: What are parents basing this judgment on?

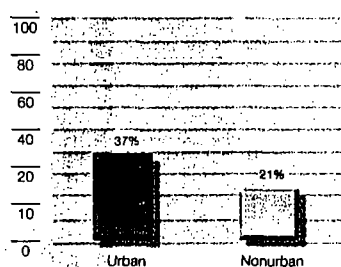
What Do Parents Know? Well-informed parents who emphasize academic goals at home and capably audit their schools' performance are often seen as crucial to progress on standards. Parents responding to this survey report that their schools are good at communicating with them about their children's progress. Yet, at the same time, many parents appear to lack a solid grasp of their schools' academic goals, and most would be hard pressed to compare their schools with others on academic performance.

Seventy-three percent of parents think their schools do a good or excellent job of quickly informing parents when their youngsters are consistently late or absent, or if they are having academic problems (69 percent). And the schools, according to parents, do not wait for bad news before getting in touch. Eight in 10 parents (79 percent) say their schools do a good or excellent job of sending home progress reports between report cards; 62 percent say their schools do a good or excellent job of informing parents about graduation requirements. Six in 10 parents (60 percent) even praise schools for giving them guidance about how to get children excited and interested in learning.

Points of Comparison: Yet only a modest majority of parents (55 percent) say they know a lot about the curriculum and academic goals for their children. What's more, most parents lack information some might say is essential to properly evaluate how well their children and schools are doing. It may not be surprising that only 7 percent of parents know a lot

Urban Teachers More Disenchanted

► Percent of teachers who say that a high school diploma from their local public schools is no guarantee that the typical student has learned the basics



SOURCE: Public Agenda, 1998.

about how well their children's academic achievement compares with that of students abroad. Perhaps more revealing is that only 15 percent know a lot about where their children stand in comparison with other youngsters in the United States, and only 23 percent can say where their children stand compared with others in their own state. Fewer than half (45 percent) say they know a lot about how their children compare with other students in the same grade. Moreover, this information shortage extends to schools and teachers: Only about one-third of parents (35 percent) know a lot about how their schools rank in comparison with others in their own district, and only 24 percent know a lot about the qualifications of their own children's teachers.

Standards Higher in Private Schools: The comparisons parents can—or cannot—make seem to influence their evaluations of their schools. Parents often give their own schools good ratings in a general sense, but these initially positive evaluations can plummet when they compare their schools against specific criteria or reference points. In this survey, for example, 72 percent of parents give public schools in their community good or excellent ratings; but when asked whether local private or public schools provide a better education, private schools win out by 37 percent to 29 percent. And when asked which schools have higher academic standards, the difference is even wider: 42 percent for private schools compared with 22 percent for public schools. Experts often point out that comparisons across schools—be they private, international, or across town—are tricky; but there seems to be little doubt that they are important. The question is: How would parents' evaluations change if they knew more about how their schools compare with others in their district or state?

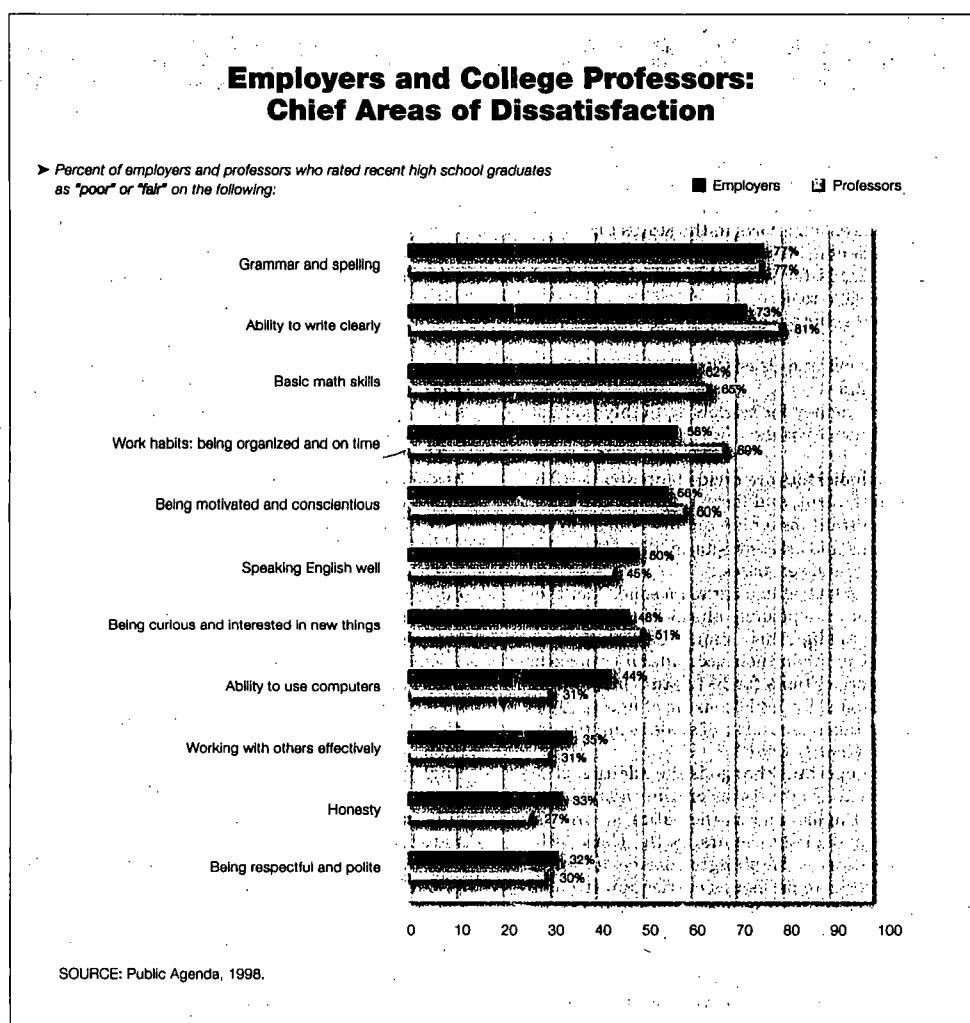
Problems That Are Not There: Teachers in focus groups frequently cite barriers that work against them—problems ranging from constant interruptions, to principals or parents who do not expect enough from children, to a lack of professional-development opportunities. But findings from this study suggest many of these problems may not be widespread.

A large majority of teachers (85 percent) say they have adequate opportunities for professional development that helps improve their teaching skills. Seventy-seven percent say their schools are good or excellent about supporting and mentoring new teachers. And overwhelming majorities of teachers (87 percent) and students (85 percent) say their schools offer extra help or tutoring for youngsters who are struggling.

Teachers praise principals for supporting academic achievement. Ninety-five percent say their principals make it clear that learning is the school's priority by constantly encouraging students and teachers to do better, and 89 percent describe their principals as fair and consistent in enforcing rules of behavior.

The vast majority (91 percent) say their administrators pay careful attention to teacher quality and curriculum, and 69 percent say that administrators make sure bad teachers do not remain at their schools. Finally, 74 percent of teachers say they have rarely or never been pressured by parents or administrators to promote a student they wanted to hold back.

Teachers also say good things about parents. More than eight in 10 (83 percent) think most parents have high standards and expect their children to get good grades; 74 percent say that most parents support teachers' efforts to push students academically. Perhaps not surprisingly, parents give themselves good grades, with 83 percent saying they check



homework every day and 69 percent that they talk daily with their children about specific things that happen in school.

Lag Time or Miscue? For standards advocates and others concerned about the state of public education, the "reality check" surveys report some unquestionably heartening news: Teachers say more students are taking honors courses; parents say the schools are quick to let them know when their youngsters are slipping; students say their schools emphasize academics; and employers and college professors understand that school districts are attempting to put higher standards in place.

But there is a huge gap between the mostly positive judgments of teachers, parents, and students and the widespread dissatisfaction and impatience voiced by employers and professors. In finding after finding, this group of "consumers" reiterates that most high school graduates simply do not have the basic academic skills needed for work or college.

So what does this mean? The more optimistic interpretation might be that the real problem is "lag time"—employers and professors are still seeing graduates from the "old system," while schools and districts are making changes that will, in the next

few years, produce graduates who are much better prepared. But there is also a much more worrisome possibility—that employers and professors operate from a quite different, more stringent standard for what constitutes acceptable basic education. If this is so, it is a standard that schools, teachers, parents, and students have yet to confront.

Methodology: Telephone interviews were conducted in September and October 1997 with national random samples of: 700 parents with children currently attending public school in grades K-12; 700 public school students in middle or high school; 700 K-12 public school teachers; 250 employers who make hiring decisions for employees recently out of high school or college; and 250 college professors at two- and four-year colleges who taught freshmen or sophomores in the last two years. Margin of error for parents, students, and teachers: plus or minus 4 percentage points; for businesses and college professors: plus or minus 7 percentage points.

Funding for this research was provided by the Pew Charitable Trusts. For more information on this or other Public Agenda research, look for Public Agenda's World Wide Web site at <http://www.publicagenda.org>.



In downtown Moscow, a worker scrubs a billboard that urges people to pay their taxes.

they barter for food, clothing and other essentials. Most have home gardens and other cottage industries they pursue on the side in an attempt to make ends meet.

With people and companies earning so little in cash, almost no one is paying all their taxes. Even the government accepts payments in kind. Companies pay about half of the taxes they owe in non-monetary form.

Meanwhile, everyone pretends that business is going on as usual. Billions of dollars in back wages that are never likely to be paid are toted up by companies and reported to the government. And the government toted up billions more dollars of taxes that are owed and never likely to be paid.

Analysts say the "pretend" economy really is an extension of the unreformed Soviet industrial economy, in which the government heavily subsidized unproductive and inefficient industries with cheap raw materials. Today, those industries continue to be subsidized through uncollected taxes.

Occasionally, the government cracks down on a prominent taxpayer — like Gazprom, the gas and oil giant that is one of Russia's few profitable exporters — and demands payment of taxes in cash to prove to western lenders its resolve to balance the books.

But Gazprom and other tax shirkers just shrug and ask which one of their nonpaying customers the government wants it to cut off so it can raise cash to pay the taxes. Many of Russia's regional governments are among Gazprom's nonpaying customers, and Russian citizens depend on the company's largesse to get through the winter.

Recently, Russian leaders have been so bold as to invite the Inter-

national Monetary Fund to join the ruse. Widespread indignation over Russia's outlaw behavior when it defaulted on its debt last summer forced the fund to stop lending from a \$23 billion western aid package to Russia.

But in an undisguised double-cross, Russia's leaders say the cash-strapped government won't be able to make payment on \$4.5 billion of earlier IMF loans coming due this spring unless the IMF forks over a new loan.

Many analysts expect Russia to get the loan it wants to prevent the embarrassment of a default by the IMF's biggest borrower and further financial and political troubles for Russia.

The West will come to Russia's rescue again, but only after playing a game of its own to justify the loans, said Christopher G. Gaddy, Brookings Institution author of "Russia's Virtual Economy."

The IMF and Russia will keep threatening each other, with the IMF contending Russia's finances are phony while Russia veers toward the precipice, Mr. Gaddy said.

Ultimately, he said, the United States will intervene behind the scenes, because it fears the vast threats to security resulting from an economic breakdown in Russia.

"The administration in no way wants to make a decision to bail out Russia. They have to pretend it's all the IMF," he said. "They play this game to the last moment and hope Russia won't go into the abyss."

But those who say Russia should be cut loose and forced to cope on its own are wrong, he said.

"There's been a sense that things are not so bad. The Russians have lived in this strange, cash-strapped society. The financial collapse didn't really matter," he said.

"But the country is very, very vulnerable," with outbreaks of tuberculosis and other serious diseases increasing, and soldiers who don't show up for work to guard nuclear arsenals because they have not eaten or been paid, he said.

"The population is not starving, they can take care of themselves by lowering their living standards and finding ways to cope.

"But a whole menu of things can go wrong in Russia," he said, from a health epidemic to another Chernobyl-like nuclear accident to the theft of nuclear weapons.

With a budget this year of only \$10 billion to cover everything from public safety to a 1 million-man army, the government will be unable to deal with such disasters, he said. Yet it will not be on good enough terms with the West to ask for help to contain the problems.

"We may wake up and find something there has gone wrong

and they don't have the ability to deal with it," he said. Yet most Russians thought they would be better off with the end of the Cold War.

"They honestly believed that if we stopped the rivalry, the West would help them be a normal country," he said. "The Russian economy after seven years of alleged reform efforts is to my mind further from market viability than it was seven years ago.

"All the IMF money is going just to cover budget deficits," and debts to the West, he said. "None of it is going to develop the economy."

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The Washington Times

MONDAY, MARCH 22, 1999

Despite problems, 2 charter schools vow to make grade

Juggle academics, accommodations

By Susan Ferrechio
THE WASHINGTON TIMES

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Barely six months after it opened, Cesar Chavez Public Charter School already faces a crisis. Come September, the school will exist in name only unless its operators can find affordable space to accommodate 120 incoming students.

The school, which enrolls 60 ninth-grade students this year, will outgrow leased space inside a Southwest shopping mall when it doubles in size next fall to include a 10th-grade class.

Techworld Public Charter School, also located in Waterside Mall on M Street SW, has its own challenge: bringing up the grades of its 150 ninth-graders, nearly half of whom failed the first semester of a rigorous curriculum tied to high technology.

"We had to stop with some of the technology things and go back to the basics," Techworld Executive Director Daanen Strachan says.

Chavez and Techworld are two of 15 charter schools that opened in the District in September to more than 3,700 students, most of them refugees from the city's long-troubled public system.

The early experiences of both programs illustrate the growing pains for charter schools, which are publicly funded but operate relatively free of oversight or interference.

The space dilemma, however, has not distracted Chavez Principal Irasema Salcido. She says she is focused on what she considers to be an even bigger problem: helping the undereducated D.C. students already enrolled in her school.

"They have a great challenge, but that's why it is so important that I make a difference in their lives," Mrs. Salcido says, hurrying around the school on a recent day. "This is their last chance. That's why I cannot waste any time."

Chavez, Techworld and the Washington Math, Science and Technology Public Charter School all operate in leased space on the second floor of Waterside Mall, which is also home to a CVS drugstore, a Safeway supermarket and more than a dozen smaller stores.

So far Miles Burrell, 14, holds Techworld's highest grade-point average: 4.0. Miles and three top-ranked classmates are scheduled to fly to Hong Kong today for a technology conference.

Miles, who attended Stuart-Hobson Middle School in Southeast last year, says he was drawn to Techworld because of the emphasis on computers. He wants to become a computer programmer, and the school is living up to his expectations.

Other Techworld students have not done so well. At least 10 have dropped out and 45 percent of the 150 students failed the first grading period. The biggest complaint, Mr. Strachan and Principal Christine Handy say, is that classes and homework are too difficult.

"It was too rigorous for them," says Mr. Strachan, who has raised hundreds of thousands of dollars in corporate donations to pay for the space and computers.

The trip to Hong Kong by Miles and the others was financed in part by Microsoft, Techworld's corporate partner. Mr. Strachan is covering the rest with other donations, and has raised more than a quarter of the school's \$1.3 million budget from corporations such as Citibank and Wal-Mart.

"We run our charter school like a business in promoting education," the executive director says.

The remainder of the budget comes from the D.C. school system, which must allocate \$6,600 per student enrolled at charter schools under legislation enacted by Congress in 1996. The law allows each of two chartering authorities to approve as many as 10 charter schools a year.

The Chavez school touts a curriculum that emphasizes how public policy is made, and is named after Cesar Chavez, the labor organizer who founded the United Farm Workers.

Mrs. Salcido, who spends much of her time buried in day-to-day operations, says her search for a larger space is about to begin in earnest. She expects she eventually will find a new location, probably at the last minute, which is what happened in September when she secured the space in Waterside Mall.

There was good news last week, when Mrs. Salcido learned Mayor Anthony A. Williams will speak Thursday at the school's open house. She hopes the mayor's visit will bring attention to Chavez that will help attract donations and future students.

Techworld also plans to expand next school year, but the program will not have to move. Mr. Strachan leased enough room to accommodate a new freshman class, which will double enrollment to about 300.

Each Techworld student, who attend classes every other Saturday as well as Monday through Friday, gets a portable laptop to carry around and take home. Classes are equipped with desktop computers hooked up to the Internet. Every teacher has a telephone in class.

Chavez and Techworld have more in common than a shared address. Both employ uncertified teachers, something that is not permitted in the regular school system. Mrs. Salcido counts it as one of the many freedoms attached to charter schools.

"Look at the D.C. public school system," says Mrs. Salcido, a thin, energetic woman with intense dark eyes. "Every one of those teachers is certified and what good does it do? Certification doesn't equal good teaching."

At Techworld, all of the uncertified teachers have undergraduate degrees or higher and are supervised closely.

Dale Miller, Techworld's instructional coordinator, says he is impressed with student performance, despite gaps in learning that many children brought from the regular public system.

"We have to keep in mind that we're trying to change eight or nine years of where they are coming from," says Mr. Miller, a teacher trainer hired from Old Dominion College, who also serves as a technology teacher.

Techworld even has a high-tech look, although the design is meant for more practical purposes than aesthetics.

The walls are made of lightweight plasterboard, which suffered dents and holes from passing students tussling in the halls. So Mr. Strachan spent \$10,000 to have steel sheets riveted to the walls along the hallways.

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MONDAY, MARCH 22, 1999

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New evidence details Communist plot

ASSOCIATED PRESS

Cold War historians say they now know more about how and why the Soviet Union and China fabricated a campaign in the 1950s to convince the world that the United States used germ and chemical warfare in the Korean War.

New documentary evidence from Moscow's still-secret archives suggests that the charge was instigated by Chinese field advisers to the North Koreans. With many Koreans dying of cholera, the Chinese advisers decided U.S. chemical and biological warfare must have been the cause.

"It was a huge campaign, waged through the press and the World Peace Council, a Soviet-backed organization with branches in many countries," said historian Kathryn Weathersby, a specialist on the Soviets' role in the Korean War. "There were public [anti-U.S.] demonstrations in most Western European countries and it complicated the early years of NATO because there were demonstrations against meetings of the Western alliance because of those allegations."

To make the charge stick, the Communists went to extraordinary measures — infecting North Koreans awaiting execution with plague and cholera so their bodies could be shown to outside investigators, and forcing 25 captured U.S. pilots to sign "confessions."

The undertaking, blessed by

Josef Stalin and backed by Mao Tse-tung and Chou En-lai, had some success. The charge, denounced by U.S. officials from President Truman on down, was repeated in a 1989 book by two British journalists, Peter Williams and David Wallace, and again in a 1990 ceremony staged by Beijing.

In fact, "neither Soviet officials nor Russian ones have to this day ever stated that the Korean War biological warfare allegations were false," said biological warfare specialist Milton Leitenberg of the University of Maryland.

Using newly accessible documents, Mr. Leitenberg and Miss Weathersby put together a now-it-can-be-deduced study of the claim and the unpublicized decision to back off it. Their research is to be published in the Bulletin of the Cold War International History Project of the Woodrow Wilson Center, a government-sponsored think tank.

The new evidence came from the Presidential Archives in Moscow, which is still closed to all but a handful of Russian researchers. In January, a researcher was permitted to make notes — but not photocopies — from 12 documents.

The germ warfare accusation was made in 1952, at the height of the Korean War and at a time when North Korea confronted massive outbreaks of cholera and plague.

With an armistice only a few months away, a secret May 2, 1953, resolution of the presidium of the

Council of Ministers of the Soviet Union backed away from the charge, the documents show.

"The Soviet Government and the Central Committee of the [Communist Party of the Soviet Union] were misled," said the resolution, which has never before been made public. "The spread in the press of information about the use by the Americans of bacteriological weapons in Korea was based on false information. The accusations against the Americans were fictitious."

The instigation for making the claim apparently came from Chinese field commanders advising the North Koreans, researchers say.

On Feb. 22, 1952, North Korea told the United Nations that U.S. aircraft had dropped disease-bearing insects in seven raids. Two weeks later, Chou charged the United States had sent 448 aircraft on 68 missions to spread plague, anthrax, cholera, encephalitis and meningitis.

Without any field investigation on its own, an "International Scientific Commission" led by British biochemist Joseph Needham, an avowed Marxist, issued a 669-page report accepting the Chinese claims on the basis of testimony from witnesses. It was Mr. Needham, now dead, who repeated the charge in a 1990 ceremony where he was honored by Beijing on his 90th birthday.

The Washington Times

WEDNESDAY, NOVEMBER 18, 1998

Cost of college increases; grants not keeping up

Low-income students hit hardest

BOSTON (AP) — The cost of college continues to rise as available federal grant money erodes, putting higher education out of reach for many low-income American families, a study released yesterday showed.

Student grants are covering a significantly diminishing proportion of college price tags. Pell grants — the major federal funding source for low-income students — provide about half of what they did 20 years ago, according to the study.

In the 1976-77 school year, the average Pell grant covered 19 percent of the cost of attending a private, four-year institution, and 39 percent of the price of a public four-year school. In 1996-97 — the most recent year available for the study — the average grant covered 9 percent for private schools, and 22 percent for public.

Even more striking, the maximum Pell grant — given to the neediest students — fell from covering 35 percent of private-college costs in 1976-77 to 13 percent in 1996-97; for public schools, it dropped from covering 72 percent of the price to 34 percent, the study said.

If low-income students don't attend community college, they can't afford to go to college at all, said Thomas Parker, senior vice president of the Education Resources Institute, a Boston-based nonprofit guarantor of privately issued student loans, and one of the two groups that released the report.

"What we like to think is we have a system where people have both access and choice, but what we're rapidly developing is a system where people have access but not choice," he said.

The average Pell grant award declined by 23 percent — adjusting for inflation — over two decades, but college prices rose by 49 percent, and family incomes crept up by just 10 percent over the same period.

In 1996-97, the maximum Pell

"What we're rapidly developing is a system where people have access but not choice."

—Thomas Parker

grant available was \$2,470 for qualifying students. In 1997-98, it went up to \$2,700 and is at \$3,000 for the current year.

"Even with those increases, the bottom line is the net price still increases for most families, particularly for the lowest-income students," said Jamie Merisotis, president of the Institute for Higher Education Policy in Washington and co-author of the report.

About 3.6 million of the nation's 14 million college students receive Pell grants, and more than half of Pell recipients in four-year schools qualify for the maximum amount of funding.

While federal grant dollars have declined over the last two decades, the amount of grant money colleges and universities give to students has stayed the same, said Jacqueline King, director of policy analysis for the American Council on Education, which represents about 1,800 colleges nationwide.

Still, she said, low-income students should be able to attend a four-year college if they take college-preparatory classes in high school and apply for financial assistance from the government as well as from universities.

In 1995-96, Miss King said, the average cost of attending a two-year public community college, including tuition, room and board, was \$7,265 for a full-time student without financial aid. For a public four-year university, it was \$10,889, and for a private college the average was \$19,443.

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