

THE WHITE HOUSE

WASHINGTON

September 20, 1996

*Educ -  
School Takeover*

**MEMORANDUM FOR BRUCE REED**

**FROM: MIKE COHEN**

**SUBJECT: ACCOUNTABILITY, FAILED SCHOOLS AND SCHOOL CHOICE:  
AN ALTERNATIVE TO PAUL DIMOND'S PROPOSAL**

**CC: PAUL DIMOND  
PAUL WEINSTEIN**

I have reviewed Paul Dimond's proposal, and have an alternative to put on the table. Paul's proposal would put us on the opposite side of the voucher debate than we are at present. I think that's the wrong approach for education, and the wrong place for the President to be. In addition, I don't think we need to use Title I to require accountability tests in the states; virtually every state already has a state testing system and reports results to parents and the public on a school-by-school or district-by-district basis.

However, we need a better answer to vouchers than we have, especially when the debate focuses on doing something for disadvantaged kids in failing (mostly inner city) schools. At present, our answer is that we will help improve the system, with a strategy of raising standards, improving curriculum, etc. While I am convinced these systemic steps need to occur, in and of themselves they do not provide much immediate help to kids in schools that are just plain failing.

The direction in which I think we need to head builds on the President's challenge to states to intervene in schools that are failing and do something serious to turn them around:

- The President needs to make a clear statement that his opposition to vouchers and his support for public education does not extend to supporting schools that are plainly failing. We should not, and will not, defend failure in the public education system.
- The President should reiterate his challenge to state and local education officials to use the testing and accountability provisions they already have in place to identify persistently failing schools, and take steps to turn them around. At present, somewhere in the neighborhood of 10-15 states seriously intervene in failing schools, beyond telling them to develop an improvement plan.<sup>1</sup>

<sup>1</sup>Every state eventually will be required to have an intervention strategy for failing schools, as a result of Title I requirements. However, that strategy is phased in over a relatively length period of time. The proposal here is meant both to preserve and build upon

• **The President should extend the challenge, by calling on states and local school districts to close failing schools, create new charter schools in their place, and allow parents in these schools to send their kids to the new charter or to any other public school in the state/district. He should back up this challenge by offering any state or district that agrees to take this approach:**

- Funds to help support the start up of the charter schools (perhaps from a set-aside we can build into the existing charter schools program);
- Additional funds to be used specifically for providing the kids in the failed schools with extra help and tutoring after school. There should neither be a requirement nor an expectation that this extra help would be provided by the school and its staff. Nor should this be designed to reward failing schools with extra resources. Rather, this should be designed to focus on kids rather than on the schools, and should be an invitation for local government, community-based organizations, the private sector, higher education and employers to all pitch in. The message here is that if the state/district seriously steps up to the plate to fix the school, the federal government will provide financial support for extra help for the kids, so they can catch up to their peers while their school is being turned around.

This component would require some modest funding. Since only a handful of states and districts are at the point of meeting the proposed challenge, and then only for a handful of schools each, the initial funding requirements would not be large.

- If the failing schools are Title 1 schools and the kids are Title 1 eligible (in most situations, this will be the case), Title 1 funds should follow the kid to the new public school, whether it is the charter school or a different public school of the family's choosing.

This last component may at times be at odds with our efforts to better target Title 1 funds to the schools with the largest concentration of disadvantaged students. However, in general we have been willing to waive this requirement if the state or school district has a compelling reform strategy and needed to use Title 1 funds to support it. I think the approach I have proposed here would meet that test.

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the Title 1 requirements. It leaves in place the phase-in period, which is in part tied to the expectation that the state will put new standards and assessments in place first. At the same time, it is intended to focus much more quickly -- immediately -- on the most serious cases, based on existing standards and assessments.

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This approach has the advantage of building on our support of public school choice and charter schools, and of focusing explicitly on concrete and practical steps that can be taken to help kids who need it. I believe that one of the ways in which we are vulnerable on the voucher debate is that we come across as having nothing to offer kids who are stuck in failing schools except the promise of long term reform, while voucher proponents offer a seemingly easy escape to other settings. The fact that vouchers will undermine public schools while helping only a small proportion of the kids who need it is not as compelling as a response which also provides immediate and direct help to kids.

**DAVID SHIPLEY**

04/28/97 09:17:45 AM

Record Type: Record

To: Thomas L. Freedman/OPD/EOP

cc:

Subject: Yo, baby, yo.

Hey, here's more from the Brentster. D.

----- Forwarded by David Shipley/WHO/EOP on 04/28/97 09:16 AM -----



brent @ nytimes.com

04/25/97 02:03:00 PM

Record Type: Record

To: David Shipley

cc:

Subject: Yo, baby, yo.

See today's editorial on choice. A Lesson from Milwaukee.  
Also the following column. I think its important. Hope all's well.  
My back is hurting from digging holes for Azalea plant. Man, gardening is  
hard work.

2ND STORY of Level 1 printed in FULL format.

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BRENT STAPLES

Plagued by truancy, violence and underachievement, Philadelphia's public schools are among the nation's worst. As of last year, fewer than 6 percent of the city's high school students tested as competent in reading. The children of the city's middle class - including its politicians - have fled to private or parochial schools. Yet despite all these obvious signs of failure, Philadelphians were stunned when their superintendent of schools seized control of two high schools and announced that teachers there would be transferred for failing to raise achievement levels. The takeover provoked demonstrations, vandalism, a lawsuit by the teachers and a scolding from political leaders who knew perfectly well that the superintendent, David Hornbeck, had no choice.

Confidence in the schools had evaporated. A recent poll commissioned by Democrats in Pennsylvania's Legislature showed that 8 in 10 Philadelphians believed the system needed dramatic change. Nearly half the city's whites and three-quarters of its African-Americans favored a voucher plan that

would allow low-income students in failing schools to use public money for private-school tuition. Since most of the whites had already fled the system, the meaningful figure here is the overwhelming number of African-Americans who said they wanted out as well. Their children make up about 65 percent of the school population, which is 80 percent minority. If Mr. Hornbeck does not show swift improvement, the cry for a voucher system will grow.

Several states are considering voucher systems. Wisconsin and Ohio already have such programs for low-income children, allowing them to attend private schools. In Kentucky, a voucher-like law allows families to leave failing public schools and enroll in good public schools, taking state education dollars with them. As a consultant, Mr. Hornbeck helped to write Kentucky's laws, setting up rewards and punishments that have brought greater accountability to the system.

In his role as superintendent, Mr. Hornbeck worries that vouchers for private schools would bankrupt an already cash-starved public system. But pressures are building. The Philadelphia Inquirer recently urged Gov. Tom Ridge to install a voucher system in the nearby city of Chester, which has been under a Federal court order to improve its schools since 1990. The court may well impose a voucher solution that bypasses Chester's public schools if the Governor does not act first.

Last month, Philadelphia's City Council narrowly defeated a nonbinding resolution in favor of vouchers. Two additional proposals are circulating at the state level and could eventually end up as law. One proposal would reimburse only a fraction of the cost of private education. A second proposal by State Representative Dwight Evans, a Democrat from Philadelphia, would reimburse parents in full. The plan draws upon Florence County v. Carter, a United States Supreme Court decision that authorized parents of learning-disabled children to sue for private-school tuition when the public schools failed. The ruling applied specifically to special education, but it was inevitable that lawmakers would try to apply it more broadly.

Mr. Evans dismisses critics who say vouchers would further destabilize the system. The middle class, he notes, has already fled. The African-American poor who support experiments with vouchers do so because they have been left behind with violent, dysfunctional schools with no prospect of improvement. Mr. Hornbeck is, in effect, asking for one last chance to make these schools work. He plans to transfer three-fourths of the teachers in these schools and put new staff and curriculum in place. The aim is to reduce disruption and truancy while improving overall performance.

State takeovers of failing schools are rare. There have been modest successes and some flat-out failures. If Mr. Hornbeck succeeds, Philadelphia's schools could get new life. If he fails, vouchers could be the next stop. BRENT STAPLES LANGUAGE: ENGLISH LOAD-DATE: April 6, 1997

State/ District	Sanctions outlined for failing schools	Criteria	What they've done	School Report Cards?
AL	State takeover of schools or districts		State currently runs 2 districts and Birmingham is on probation	
AZ				yes - on Internet
Chicago	<p>Schools risk probation; if they fail to measure up after 1-year, district officials have options ranging from firing staff members to shutting down schools</p> <p>Schools on probation receive assistance in monitoring management and instruction</p>	85% of students must score below reading norms on Iowa Tests for school to be put on probation	<p>109 (out of 554) schools on probation in Oct 96</p> <p>of 71 elem schools on probation, math scores improved in 69; reading scores in 54</p> <p>37 of 38 high schools improved math scores; 30 improved reading scores</p>	
Cleveland	Reconstitution after 3 years of no progress	standardized tests, others unnamed		
Denver	(75% of elem students score below avg on reading tests there)	Iowa Tests, other tests, parent involvement, number of suspensions, participation in gifted/talented program, building maintenance, allocation of resources	2/97: School board approved reconstitution of elem schools based on criteria	

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*Sanctions*

*Criteria*

*Done*

*12 Cards?*

FL	after 3 years of 'school failure', sanctions range from appointment of new principal to state withholding of district funds	7 performance goals, including basic reading and math competencies	1997: Ed Commissioner identified 158 failing schools based on low scores on standardized tests	
Houston		fewer than 20% of students meet test standards; other unnamed criteria	reconstitution of 2 elementary schools; one has done very well  resources available for schools that need to improve	
ID				yes; but optional since 3/96
Indianapolis		staff and student attendance; assessment on tests; graduation and remediation rates; and amount of contact with parents	1996: placed 90% of schools on probation based on these criteria .	
KY	Schools that meet own achievement goals in 2 years qualify for bonuses; sanctions include state assistance and firing of staff			
LA	8/96; state panel recommended rewarding high performers and sanctioning low performers after state intervention			yes
MA	Current law gives schools 2 year warning, but likely to be made more severe		State has taken over 1 district	

MD		low and declining test scores	cash rewards to schools that achieve excellence  48 schools reconstituted sine 1994 (40 of Baltimore's 80 are eligible; 6 schools in Prince George's county reconstituted)	yes
MI	Gov Engler proposed legislation allowing state to intervene in schools low	over 80% failure on state proficiency test or if dropout rate exceeds 25%	Debate currently on criteria, not on basic theme	
MN	2/94 Proposed legislation to reconstitute schools after 3 years	performance gap between minority and majority students in these areas: dropout, discipline rates, acad achievement, enrollment in remediation, special ed, and honors classess		
MT	1/27:Gov Raciocot advocated adoption of statewide standards for schools and development of sanctions			debated
NC		student perfomance on writing and math tests, attendance, college preparation and dropout rate		yes
NJ	1988 law allows for state takeover of schools if they fail to meet state certification standards		state takeover of schools in Jersey City and Paterson  Gov Whitman made 'improving failing schools' central point of social agenda, 1/95	yes; since 6/95 [Nexis search]

NV	law passed 1989, strengthened in 1993; mandates public reporting of district and school performance (test schools, student-teacher ratio, teacher quals, per-pupil expenditures, graduation rates)			yes
NY	State identifies low performing schools  Subject to district takeover	minimum competency requirements on math, writing and reading tests, dropout and attendance rates  90% of students must pass competency test in 3 years or school is on probation	Schools on list receiving technical assistance and aid  Chancellor took over 16 schools on list in 1996	yes
Philadelphia	Reconstitution after 3 years of no progress		Teachers union leading the revamping of 6 schools	
RI	working on performance standards  plans for state takeover of schools			
San Francisco	Reconstitution based on district superintendent decision  have done radical closing strategies since 1984	attendance, chronic absenteeism, request for student transfers, test scores	8 schools reconstituted since 1994  flat test scores in reconstituted schools	
SC	4/96: Proposed legislation to fire principals/ superintedents of low performing schools failed			

TN	since 1992, state can takeover schools not meeting performance criteria	promotion, dropout and attendance rates; value-added assessment; pass rate on high school exit exam	for each of past 2 years, fewer than 2% schools meet all 5 criteria; no actions taken yet  reward high-performers (thousands of dollars each)	yes, since 1992
TX	State publishes list of low performing schools; grants of \$4-5,000 available to parents to transfer kids out of low performing school;	Fewer than 20% pass rate on standardized tests and dropout rate of 25% or over	gives \$5,000 to principals of schools that exceed standards	
VA	Gov Commission suggest suspension of school and board leaders of failing schools and barring of students from drivers' ed who don't meet 9th grade standards			yes
Milwaukee	Reconstitution at discretion of superintendent			