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NATIONAL NEWS

'Chiefs for Change' Serves Up Principles for ESEA Reform

Education Week

By: Erik Robelen

May 19, 2011

http://blogs.edweek.org/edweek/campaign-k-12/2011/05/chiefs_for_change_group_highli.html

With efforts once again in full swing to reauthorize the Elementary and Secondary Education Act, a coalition that bills itself as representing "reform"-minded state schools chiefs today unveiled [principles](#) for what a revamped law should look like. They put an emphasis on rigorous accountability for "all schools and all students," keeping the mandate for annual assessments, and setting "clear and differentiated" rankings for schools.

In addition, the organization [Chiefs for Change](#) suggests that the federal government needs to reduce education aid to those states that fail to take "bold and necessary actions" to improve student performance.

"High standards must be the norm for all students across the nation," the group declares in its principles document. "Congress should ensure states cannot dumb down standards, lower cut scores, or otherwise manipulate accountability."

In an interview Tuesday, Indiana state Superintendent Tony Bennett, a founding member of Chiefs for Change, told me the federal government should "set very high expectations for states, provide the resources and flexibility for the use of those resources, and then, frankly, get out of the way and hold us intensely accountable if we do not meet those standards. In other words, take the money away."

Bennett, a Republican elected in 2008, added: "Knowing my colleagues in this endeavor, I don't think a one of them is afraid of that level of expectation and accountability."

Bennett and Florida Commissioner of Education Eric J. Smith, who also spoke with me about the principles, made clear that they were opposed to [the idea](#) some on Capitol Hill have apparently been exploring that the reauthorized ESEA's accountability system should focus primarily on the lowest-performing schools, perhaps those in the bottom 5 to 10 percent.

"I think it would be the wrong direction," said Smith, who is [stepping down](#) as Florida's state chief on June 10. "Probably some of our most underserved children are those that are definite minority populations in schools that are dominated by very successful children," he said. "That's a pretty slippery slope to say all we have to do is target our attention to those whole schools that are failing."

Chiefs for Change was [formed](#) last fall, brought together by former Florida Gov. Jeb Bush's organization, the [Foundation for Excellence in Education](#). The coalition currently has 10 members, including member-emeritus Paul G. Pastorek, who recently [resigned](#) as the chief in Louisiana. Other members of the group are: Janet Barresi, of Oklahoma; Stephen L. Bowen, of Maine; Christopher Cerf, of New Jersey; Deborah A. Gist, of Rhode Island; Kevin Huffman, of Tennessee; Gerard Robinson, of Virginia; and Hanna Skandara, of New Mexico.

On the issue of accountability, the coalition outlines the following principles for the ESEA:

- All schools, not just the lowest-performing schools, should be held accountable for the academic performance of all students;
- All schools must maintain annual assessments in reading and math to gauge both student and teacher performance;
- Accountability should recognize annual growth or learning gains, in addition to achievement;
- Accountability should reflect the true range of performance, such as grading schools on a scale of A-F, rather than pass or fail;
- Accountability should incorporate tiered interventions based on school performance and progress with students; and
- Schools should continue to disaggregate student achievement data and use that data to inform real-time instruction and interventions.

The group also offers up principles in other areas, including a focus on expanding school choice options (though it makes no mention of vouchers) as well as improving teacher quality, recruitment, and retention. In the area of recruitment and retention, the group calls for the federal government to "encourage and incentivize states and districts to reform their educator hiring, firing, and compensation systems," with an emphasis on tying teacher evaluations and compensation to student learning gains.

Stepping back, Smith said he hopes Congress and the Obama administration can move beyond the partisan divides so dominant in Washington these days to reauthorize the ESEA. Indeed, he said he's encouraged to see evidence that the Democrats and Republicans can work together on the issue. (It's worth noting here that President Bush signed the No Child Left Behind Act in 2001 with strong backing from both parties, including the late Sen. Edward M. Kennedy.)

"It's an issue of national security, economic viability, and one that really needs to be removed from the political landscape," Smith said. "I am very hopeful that there is the wisdom among leadership on both sides to understand this work and get it done correctly."

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Opinion: U.S. Sen. Landrieu praises Paul Pastorek

Baton Rouge Advocate

By: Mary Landrieu

May 20, 2011

<http://www.2theadvocate.com/opinion/Letter-Landrieu-praises-Paul-Pastorek.html>

This past week, Paul Pastorek left his position as state superintendent of education to embark on a new chapter in his impressive career. I received the news of Paul's departure with deep gratitude for the four years he gave to leading Louisiana's education reform movement, one of the most influential in the country.

In 2007, I joined Gov. Kathleen Blanco and the Board of Elementary and Secondary Education in calling upon Paul to take the helm of the Louisiana Department of Education. The hurricanes that struck the Gulf Coast left schools across the region struggling to rebound, and bold leadership was more important than ever. We needed a state superintendent of education who could make the tough decisions necessary to bring sweeping change to our public schools. Paul, the reform-minded BESE president, fit the bill.

Throughout his tenure, Paul proved himself to be fearless. Earning both admirers and sharp critics along the way, he has always sought to do what is right for the children of Louisiana. And the results have been dramatic.

With Paul leading the state Department of Education, Louisiana passed groundbreaking laws to reform its public schools. In 2009, Louisiana lifted its cap on charter schools. Today, there are 90 charter schools in Louisiana — and 70 percent of the students in New Orleans attend charters. Last year, Louisiana passed legislation requiring educators to be formally evaluated every year, with 50 percent of every educator's evaluation based on student growth.

Under Paul's leadership, Louisiana's nearly 700,000 public school students made unprecedented academic gains. The number of students dropping out of school each year has plummeted. In 2008-2009, 6.3 percent of students dropped out. In 2009-2010, that figure dipped to 4.6 percent, marking the largest decrease since Louisiana began tracking dropouts in 2001. In New Orleans, the number of students attending failing schools plunged from 62 percent in 2004-2005 to 18 percent in 2009-2010.

Despite all of these gains, there are still students in Louisiana's public schools who are not receiving a high-quality education. As Paul has said many times before, there is still so much work to be done. Soon, there will be a new state superintendent of education — we hope one as determined and visionary as Paul — and the hard work of ensuring an excellent education for every child will persist.

At his farewell news conference, Paul firmly stated that Louisiana will not go backward or give up. This is a conviction that I share, and a promise to our children we all should embrace. I will continue to do what I can from Washington, but this next superintendent is one of the most important choices our state will make. Let's choose wisely.

U.S. Sen. Mary Landrieu, D-La.

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ABCs of The High School Challenge

Washington Post

By: Jay Matthews

May 19, 2011

http://www.washingtonpost.com/local/education/abcs-of-the-high-school-challenge/2011/05/12/AFHOfM7G_story.html

[The High School Challenge: Ranking schools that prepare students for college](#)

1. How does The High School Challenge work?

We take the total number of Advanced Placement, International Baccalaureate and Advanced International Certificate of Education tests given at a school each year and divide by the number of seniors who graduated in May or June. I call this formula the Challenge Index. With a few exceptions, public schools that achieved a ratio of at least 1.000, meaning they had as many tests in 2010 as they had graduates, were put on the national list at [washingtonpost.com/highschoolchallenge](http://www.washingtonpost.com/highschoolchallenge). We rank the schools in order of ratio, with the highest (17.186) achieved by the Science and Engineering Magnet in Dallas.

I think 1.000 is a modest standard. A school can reach that level if only half of its students take one AP, IB or AICE test in their junior year and one in their senior year. But this year only 7 percent of the approximately 27,000 U.S. public high schools managed to reach that standard and be placed on our list.

2. Why do you count only the number of tests given, and not how well the students do on the tests?

Some schools brag about their high passing rates on AP or IB, meaning the percentage of test-takers who scored 3, 4 or 5 on the 5-point AP exam or 4, 5, 6 or 7 on the 7-point IB exam. Passing scores make students eligible for credit at many colleges and universities.

I decided not to count passing rates in this way because I found that most high schools kept those rates artificially high by allowing only top students to take the courses. In other instances, they opened the courses to all but encouraged only the best students to take the tests.

AP, IB and AICE are important because they give average students a chance to experience the trauma of heavy college reading lists and long, analytical college examinations. Research has found that even low-performing students who got only a 2 on an AP test did significantly better in college than similar students who did not take AP.

On the list we also give readers a sense of how well each school's students are doing on the tests by posting the Equity and Excellence rate, which is the percentage of all graduating seniors, including those who never took an AP course, who had at least one score of 3 or above on at least one AP test sometime in high school. The nonprofit College Board, which oversees the AP program, invented this metric. It found that the average Equity and Excellence rate in 2010 was 16.9 percent.

3. Why don't I see on the list famous public high schools like Stuyvesant in New York City or Thomas Jefferson in Fairfax County?

We do not include any magnet or charter high school that draws such a high concentration of top students that its average SAT or ACT score exceeds the highest average for any normal-enrollment school in the country. This year, that meant such schools had to have an average SAT score below 1970 or an average ACT score below 29 to be included on the list.

The Challenge Index is designed to identify schools that have done the best job in persuading average students to take college-level courses and tests. It does not work with schools that have no, or almost no, average students. We put those schools on our Public Elites list.

4. Why are some other public schools with high AP participation put on a separate list?

In the Washington area and elsewhere, some high schools with large numbers of impoverished students are building significant AP programs, even though the vast majority of students fail the tests. Educators at these schools have concluded that despite low passing rates on the three-hour AP exams, many students still benefit from courses and tests that will build academic muscles for college.

This situation is so different from the norm that it requires a special list, comprising schools that do well on the Challenge Index but have passing rates of less than 10 percent on AP tests. We call it the Catching Up list.

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FLORIDA NEWS

Ocala: Marion County Superintendent Yancey: 4-day school week or

layoffs; teachers rally over salary

Ocala Star Banner

By: Joe Callahan

May 19, 2011

<http://www.ocala.com/article/20110519/ARTICLES/110519684/1001/NEWS01?Title=Yancey-4-day-school-week-or-layoffs-teachers-rally-over-salary>

Superintendent of Schools Jim Yancey said Thursday that the School District must go to four-day work weeks — including four-day school weeks — or he must consider layoffs.

The School Board will vote on the four-day plan June 28. Most board members polled after a Thursday work session said they want to research the issue and meet with Yancey before making a decision.

Also on Thursday, teachers with the Marion Education Association demonstrated in front of School District headquarters on Southeast Third Street.

They were not protesting four-day weeks; rather, they were showing support for their union, which this morning will have a salary impasse hearing before the School Board. Teachers have been working all year without a contract.

All this budget turmoil comes as the district finds its way through a state funding cut of \$23.9 million. That's \$5 million more than a worst-case scenario the district's financial team had estimated just last month.

Saving \$4.45 million

Yancey said he believes the four-day week plan would save \$4.45 million.

The week for both schools and district offices likely would run Tuesday through Friday. There would be no more half days. Students and teachers would go to school 75 more minutes per day.

Board member Judi Zanetti said the savings would be achieved by reducing custodial, cafeteria and transportation operations. One fewer day would translate into a 20 percent cut in those areas, plus a reduction in fuel costs for buses and electricity costs for schools.

Board member Jackie Porter said she wants more information, such as the amounts that all departments will be cut in 2011-12. That way she can answer parents who ask why the district moved to four-day weeks.

Porter is concerned for single parents and households with two working parents. How will they find day care for one day per week?

As for teachers, Zanetti said it appears most support the idea.

Yancey said that such a move may be a burden for some, but he believes the community would rally together and make it work.

"I was talking to a cafeteria worker" who will lose one day of pay, Yancey said. "And they said they may start" some type of day care service on Mondays to make up the lost salary.

Why Tuesday through Friday instead of Monday through Thursday? The district already has many Mondays off during the year; and taking Fridays off would disrupt sports, especially high school football.

Many students rely on bus service to get to school. Many players would have no way to get to school, or the game, if there were no school on Fridays.

Lake Weir High principal Cynthia Saunders also noted that pep rallies would have to be held on Thursdays. Plus, attendance at Friday games may drop significantly.

"We will do what we need to do to adapt," said Saunders, adding that the move would not create much of a problem. She said it will be a matter of rescheduling classes.

More budget pain

Even if the district does go to four-day weeks, there are still many concerns on the horizon, Yancey said.

He fears health insurance may rise by at least \$2 million for the 2012 calendar year. That would translate into a \$1 million extra cost in the 2011-12 budget.

"If we have to make any more cuts above \$24 million, there will be layoffs," he said.

The board decided to consider bidding out the health insurance contract, but this time the bid will simply ask what the company can do with \$24 million — the 2011 cost of health insurance, said board member Ron Crawford.

Yancey said his staff reviewed every line item in the budget and found new areas to cut. They met with Yancey this week to discuss cost-saving ideas. They had hoped to find \$5 million more in cuts to avoid reducing services to children, laying off personnel, or reducing employee salaries.

The best plan: go to four-day weeks.

Theresa Boston-Ellis, the district's executive director of business services, said the state reduced per-pupil funding for full-time students from \$6,572.26 this school year to \$6,101.82 in 2011-12 — or \$470.44 per student.

That decrease alone equals a \$19.2 million hit for Marion. Boston-Ellis said the reason that the overall gap wound up \$5 million more than expected was due to other state-mandated costs — primarily compensation issues for retirees and teachers.

Yancey announced a few weeks ago his plan to cut \$18.9 million, which included eliminating middle and high school resource officers. It also called for cutting supplements paid to employees — including coaches — who oversee extracurricular activities.

The School Board has not officially voted on any cuts.

The School District was actually cut by \$32.1 million, though \$8.2 million of it was saved this school year thanks to a federal jobs bill. That money will be used for the 2011-12 budget year.

Yancey said the four-day work week is not part of the \$18.9 million in other cuts, which seem to be more and more likely.

Among the biggest of those cuts:

- * \$11.4 million: Not filling 250 positions that are open or will be open due to retirements.
- * \$1.9 million: Eliminating all substitute teachers, meaning school and district administrators will be forced into the classroom if necessary.
- * \$1.5 million: Eliminating supplements paid to professionals and coaches who oversee extracurricular activities.
- * \$1 million: Expected additional savings in the district's energy savings program.
- * \$700,000: Eliminating school resource officers at all middle and high schools.

Boston-Ellis said the district will use some reserve funds to make ends meet. By the 2012-13 school year, she said, the district's rainy-day fund would be down to the bare minimum allowed by law: 3 percent of budget.

As for the impasse hearing: Union President Chris Altobello said the MEA wanted pay steps for experience and 1 percent raises for employees with fewer than 19 years of experience. The union also wanted 2 percent raises for all employees with 19 years or more, since they no longer get steps for experience.

The School District offer: no step increases and no raises.

When there's an impasse, the School Board settles the dispute.

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Pasco County school district lays off nearly 500

St. Petersburg Times

By: Jeffrey S. Solochek

May 19, 2011

<http://www.tampabay.com/news/education/teachers/pasco-county-school-district-lays-off-nearly-500/1170522>

On a "very sad" day throughout the district, nearly 500 employees are told their jobs are going away.

DADE CITY - Mary Jordan's supervisor arrived at her Pasco Middle School office early Thursday morning.

Jordan, a first-year special education teacher, knew what was coming.

"She said, 'I've only ever dismissed people who weren't doing what they were supposed to be doing,'" said Jordan, 52, crying through her words. "I felt like it was as hard for her to say as it was for me to hear."

About 470 Pasco County school district employees heard similar messages throughout the day, as bosses delivered layoff notices as part of the district's budget cuts for 2011-12.

"This is very sad for our entire school family and these employees will be sorely missed," superintendent Heather Fiorentino wrote in an e-mail Thursday afternoon to all employees. "If by the end of the day today you have not been notified that you are being laid off, the District believes we have a position for you."

Earlier this week the School Board approved eliminating 513 positions to save about \$29 million of a projected \$55 million shortfall. The board is looking to furloughs and one-time revenue sources to cover the remainder.

Fiorentino had expected many jobs to be cut through resignations and retirements, but the majority came through dismissals based on seniority, certifications and related factors.

The layoffs included 249 employees on temporary service contracts, meaning they were hired to work this year with no promise of a job next year. Of those, 222 were teachers.

Another 66 instructors on regular contracts were dismissed, as were 55 district-level employees and six assistant principals. An additional 94 school-related employees - many of them instructional and media center assistants - lost their jobs, too.

Some teachers said they were filled with anxiety while awaiting the news. Others said their administrators began calling teachers to the office in twos shortly after the first bell.

Zephyrhills High School principal Steve Van Gorden said he had held conferences with more than half a dozen employees by 11 a.m. Some had newborns. Others were late career changers.

He had to look them in the eye and tell them they would be unemployed in the fall.

"It makes my stomach sick," Van Gorden said. "It's a horrible feeling."

The entire school will be affected by the moves, he added. Programs will have to change. Athletic coaches might be reassigned. New priorities will have to be set as the school does more with less.

And the changes aren't yet over, Van Gorden added, noting that the final budget - and therefore final employment figures - has yet to be set. He and other principals plan to meet today with their faculty and staff to talk over the situation.

The conversations will include a look at how schools will meet student needs while being short-handed, said Chris Dunning, principal at Paul R. Smith Middle School in Holiday. They'll also begin looking at what the schools might not be able to do at all.

"Obviously, we're not going to solve a lot of the issues," said Dunning, who didn't have many layoffs to report because his school had several teachers on temporary contracts already. "It will be a difficult meeting."

Jordan, who joined the district in August after her job at Saint Leo University was outsourced, expected the pink slip. She already had a second interview for a call center management position scheduled for Thursday afternoon.

"Even though I'm crying, I'm really excited," Jordan said, adding that she wasn't sure if she would be able to focus on her schoolwork for the rest of the day. "What I'm trying to do is stay focused on what I need to do for this interview with the other company."

Her boss offered a reference, saying Jordan had done a good job.

"But you feel like you didn't do a good job," Jordan said. "It's such a slap to be cut. That's how it feels even though that's not what is real."

Jordan said she worried for other employees losing their jobs who might not have plans in place, and also for the district and students who are losing important members of the educational team.

Her supervisor "said that she had more people to tell on my particular team" of staffing and compliance specialists, Jordan said. "That is shocking to me. We were stretched thin to begin with."

School Board member Alison Crumbley said the layoffs were nobody's preference. She attended an early morning SAC meeting at River Ridge High School, where she said the mood was "definitely solemn." Principal Maria Swanson left after 10 minutes to begin meeting with affected staff members.

"They were doing the layoffs today, and everybody knows that," Crumbley said. "It's not a happy time in the schools."

The atmosphere was so troubling, she said, that she had to leave the campus. Crumbley blamed lawmakers for putting the school system in a position where it has to cut \$55 million in spending to make ends meet.

The Legislature approved an education budget that reduced per-student funding to its lowest level in six years.

"Was taking this much from our schools worth it?" she asked.

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Later school start, payday irks teachers

Palm Beach Post

By: Jason Schultz

May 19, 2011

<http://www.palmbeachpost.com/news/schools/later-school-start-payday-irks-teachers-1486282.html>

The loss of the vaunted "academically high-performing school district" label next year will have Palm Beach County parents waiting a little longer for their children's first day of school this summer, and it has caused complaints from teachers about a 26-day gap between their August paychecks.

Palm Beach County was named a high-performing district before the 2009-10 school year, which gave it flexibility in following certain state rules, state Department of Education spokeswoman Cheryl Etters said. One rule says districts cannot start school any earlier than 10 days before Labor Day, but academically high-performing districts could start earlier .

Etters said Palm Beach County's designation was supposed to last for three years. But the district lost it when three schools, West Riviera Beach Elementary School, Belle Glade Elementary School and Pleasant City Elementary School received F grades from the state for the past school year. High-performing districts cannot have any individual schools that have F grades .

District Chief Financial Officer Mike Burke said that the district used the exemption it got from the designation last summer to start the current school year Aug. 17. Without the exemption, the school board in December approved an Aug. 22 start date for next school year, the earliest possible date school could start.

The change also means teachers will have to wait longer for their first paycheck of the 2011-12 school year, which has many teachers saying they feel cheated.

"It's horrible," said Robin Shelley, a Spanish teacher at Eagles Landing Middle School near Boca Raton. "That's like \$2,000 or \$3,000 I'm not going to have in my pocket."

Van Ludy, the district's labor negotiator, explained that the district's pay cycle is based on a school year that ends in July and begins in August. The last paycheck employees will receive for the 2010-11 school year will be Aug. 5.

Teachers are normally paid every two weeks. The next regular payday would have been Aug. 19 for work performed up to Aug. 13. Because of the Aug. 22 start, teachers will not have performed any work in that school year prior to Aug. 13.

The next regular payday after teachers start working next school year would be Sept. 2. But Ludy said the district and the Classroom Teachers Association union worked out an agreement to move that pay date up to Aug. 31.

Tony Hernandez, the union's executive director, argued that teachers will only get 25 paychecks in the 2011 calendar year, so the district is shorting teachers one paycheck. Shelley said she has had to cancel her summer vacation to celebrate her birthday since she's not getting the Aug. 19 paycheck.

"I'll probably be celebrating my birthday at McDonald's this year," she said.

Ludy said the district pays based on a school-year schedule, not a calendar-year schedule. The Aug. 5 check will be the 26th check of the 2010-11 school year, and teachers will get 26 checks in the 2011-12 school year.

"No one is getting shorted," Ludy said.

Hernandez argued that teachers are salaried employees, so it shouldn't matter if they hadn't performed work during the previous two weeks. They should get still 26 installments of their annual salary paid every two weeks. District Associate Counsel Vicki Evans-Pare said that is not legal. State law and an attorney general's opinion state that the district cannot pay an employee in advance of work being performed.

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STATE NEWS

Georgia Ruling Leaves Charters' Fate Uncertain

Education Week

By: Erik W. Robelen

May 20, 2011

[http://www.edweek.org/ew/articles/2011/05/20/32gacharter.h30.html?](http://www.edweek.org/ew/articles/2011/05/20/32gacharter.h30.html?tkn=VLNFT7Qts6Alh2i8n2tfsn09ZzPKrhDCZ%2BYX&cmp=clp-edweek)

[tkn=VLNFT7Qts6Alh2i8n2tfsn09ZzPKrhDCZ%2BYX&cmp=clp-edweek](http://www.edweek.org/ew/articles/2011/05/20/32gacharter.h30.html?tkn=VLNFT7Qts6Alh2i8n2tfsn09ZzPKrhDCZ%2BYX&cmp=clp-edweek)

With a 4-3 ruling this week from its supreme court, Georgia has become the second state in which a state-level commission created explicitly to approve and oversee charter schools has been struck down by legal action.

The development leaves in limbo for the moment the educational fate of some 2,500 students enrolled in a set of eight charters the Georgia commission oversees, though efforts were under way by the local schools and their backers to find a way to stay open. As of Thursday, the schools were still operating.

The [ruling](#) seems to fly in the face of national momentum to form such state chartering bodies, which many charter advocates argue can both lift roadblocks to opening more of the independent public schools and bring stronger oversight to ensure high quality.

But critics in Georgia, including a set of school systems that filed suit, charged that the law establishing that state's commission usurped the local authority of school districts and inappropriately drained public money from those systems.

Not counting Georgia, seven states, plus the District of Columbia, have similar statewide charter boards, according to the Chicago-based National Association of Charter School Authorizers. That tally includes a board in Indiana just getting started under legislation Gov. Mitch Daniels, a Republican, signed this month.

Meanwhile, legislative chambers in at least five other states—Illinois, Missouri, Montana, North Carolina, and Oklahoma—have approved bills this year that would institute such state boards, the association says.

While the Georgia ruling was widely seen by charter proponents as a big setback in that state, several experts said it was not necessarily a harbinger for blocking charter school commissions elsewhere. They noted that relatively few states have language akin to that in Georgia's constitution.

"I don't think we're looking at a domino effect here," said Paul O'Neill, an education lawyer based in New York City and the author of the *Charter School Law Deskbook*. "There's really only a handful of states with constitutional provisions like this one." A Florida law creating a state charter board was struck down in 2008 by a court in that state, but no schools had been opened under the Florida panel. In Colorado, which is said to have a constitutional provision similar to Georgia's, a legal challenge several years ago failed.

A 'Special' School?

In Georgia, the high court ruled May 16 that the 2008 law creating the [Georgia Charter Schools Commission](#) conflicted with a provision of the state constitution granting local boards of education "exclusive control" over general K-12 schools. A constitutional provision allowing the state to operate "special schools," such as vocational schools, does not authorize the state to control charter schools, the court said.

"[O]ur constitutions, past and present, have limited governmental authority over the public education of Georgia's children to that level of government closest and most responsive to the taxpayers and parents," Chief Justice Carol W. Hunstein wrote in the decision in *Gwinnett County School District v. Cox*.

In a lengthy dissent, Justice David E. Nahmias wrote: "Today, four judges have wiped away a small but important effort to improve public education. ... That result is unnecessary, and it is unfortunate for Georgia's children."

The Georgia law in question created the independent charter commission, with its seven members appointed by the state board of education based on recommendations from the governor and legislative leaders.

The charter board was charged with approving or denying petitions to create charter schools, as well as providing oversight of academic and financial matters, with authority to shut charter schools down.

Choosing Authorizers

Increasingly, charter proponents are paying more attention to the critical role of charter authorizers, and suggest that independent state charter boards are an especially promising vehicle to provide careful and fair review of charter applications and effective oversight once the schools open.

"The development of statewide chartering commissions or boards where this is all they do is likely the best structure to ensure quality within the charter school sector," said Greg Richmond, the president and chief executive officer of the [National Association of Charter School Authorizers](#).

The most prevalent type of authorizer nationwide is the school district, though a variety of other entities have authority to play that role, depending on the state, from universities to mayor's offices and state education agencies.

Mr. Richmond argues that most districts are ill-equipped to be effective charter authorizers, and may have a bias against approving them, fearing competition and the potential loss of aid for students who leave the regular school system.

Several charter proponents said the Georgia legislation was driven by a concern that charter applicants were not being given a fair hearing by local districts.

But Angela Palm, the director of policy and legislative services for the Georgia School Boards Association, which filed a friend-of-the-court brief in support of the plaintiff school districts, rejects that point of view. She said districts have vetted charter applicants carefully both for quality and how the proposed schools fit with existing needs.

"They're responsible to all of the taxpayers in the district," she said of local school boards. "There has to be an economy of scale."

Opponents of the Georgia panel focused on the issues of local control and school funding. With each student who left the district for a commission-approved charter, the district lost a portion of its per-pupil state aid pegged to what the local contribution would have been.

"That left a hole in the school district budget," said Ms. Palm, who estimated the loss at about \$3,500 per student in fiscal 2011. Said Calvin Rollins, the president of the Georgia Association of Educators: "The court's decision reaffirms [our] belief that public charter schools should remain under the management and control of their local school boards."

But Mr. Richmond said the local-control argument rings hollow.

"To suggest that the only people who get to decide how education is delivered are school boards strikes me as being something from another century," he said.

Tony Roberts, the president and CEO of the Georgia Charter Schools Association, said charter supporters are determined to keep the eight charter schools in question open and to restore the state commission. Another eight schools were slated to open this coming fall.

"A movement is already afoot to introduce legislation to amend our constitution," Mr. Roberts said.

State officials said this week that they are working to determine the timing and effect of the ruling, which came near the end of the academic year, as well as the options the schools may have to continue operating next year under a different status.

"The state stands ready to help in whatever way necessary to ensure that the education of the students in these schools is not compromised," Georgia state Superintendent John D. Barge said in a statement after the ruling.

The Georgia ruling came the same day that Indiana state Superintendent Tony Bennett appointed the first executive director of the new Indiana Charter School Board.

"We hope to attract some of the top-quality [charter] operators in the country," he said, and "emphasize high-quality charter

schooling.”

Asked whether he was worried about a legal challenge, Mr. Bennett said the preliminary information he’s received suggests the state would not be vulnerable to a lawsuit similar to those brought in Georgia or Florida, but he’s not taking anything for granted. “We’re obviously going to do a deeper dive into it,” he said.

This article includes material from Contributing Writer Mark Walsh.

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New York City: Teachers’ Union Sues to Stop School Closings

New York Times

By: Fernanda Santos

May 18, 2011

<http://cityroom.blogs.nytimes.com/2011/05/18/teachers-union-sues-to-stop-school-closings/?ref=education>

The United Federation of Teachers filed a lawsuit on Wednesday in an effort to halt two tools the city’s Education Department uses to change the school system: closing schools for poor performance and giving charter schools space in buildings occupied by traditional public schools.

The litigation, filed in State Supreme Court, escalates the tensions in the fraying relationship between the city and the teachers’ union, whose members have worked without a contract for more than a year and now face [the likelihood of 4,100 layoffs](#), which Mayor Michael R. Bloomberg proposed as a way to balance the budget.

It also threatens to upend the coming school year for the thousands of students who have secured a spot in charter schools whose locations are being challenged and in new high schools that are set to replace closing schools.

The lawsuit challenges the city’s plans to shut 22 schools, including 15 that were part of [similar litigation last year](#) by the union and the N.A.A.C.P., also a plaintiff in the current legal action. It also accuses the city of fostering an unequal system, where charter-school students get preferential use of the buildings’ common spaces, like auditoriums, cafeterias and gyms.

“We cannot continue with policies that allow inequality not only to exist, but to flourish” in the schools, Michael Mulgrew, the president of the teachers’ union, said at a news conference on Wednesday.

The accusations drew a strong rebuke from Dennis M. Walcott, the schools chancellor, who said the litigation was about “protecting jobs for adults at the expense of what is best for our children” and described it as an effort to “keep failing schools in our midst.”

“Today, to me, is just a sad day for the New York City schools system,” Mr. Walcott told reporters at his own news conference.

Closing failing schools is always controversial, but New York’s strategy of placing charters alongside traditional schools in public buildings — partly as an antidote to the cost and scarcity of real estate and partly as a way to fully embrace the notion of school choice — has elicited particular outrage in neighborhood after neighborhood.

The lawsuit contends that the Education Department has not followed a state law enacted last May that requires it to specify how the schools should share the space, relative to the size of their student bodies. For example, in Canarsie, Brooklyn, the suit says that students at Public School 114 and those at Explore Charter School have had nearly equal time at the building’s gym each day, even though Explore has about one-third of the students that P.S. 114 does. The suit describes a similar situation in a building in the South Bronx: P.S. 30 has nearly twice as many students as Bronx Success Academy, a charter, but the schools get equal time in the gym.

Regarding school closings, the lawsuit charges that the city ignored an agreement reached based on last year’s litigation to help the schools it was then trying to close by offering them additional staff and services, primarily for special education and immigrant students. Mr. Mulgrew offered some examples, among them the request for more social workers to handle the large number of homeless students at P.S. 332 in Brownsville, Brooklyn.

At Jamaica High School in Queens, “there were no smart boards, just broken blackboards,” he said, referring to the lack of basic resources that the lawsuit says hampered many of the schools’ efforts to improve.

The city countered with statistics that describe the schools in the lawsuit as well below average — compared with other schools that have been identified for closing and with schools citywide.

The elementary and middle schools included in the litigation had a 16 percent proficiency rate in English in the last school year, while the citywide average was 42 percent. Among the high schools, the graduation rate was 49 percent, compared with an average of 63 percent citywide.

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Some N.J. public school teachers to be evaluated partially by student test scores under new system this fall

New Jersey Star-Ledger

By: Jessica Calefati

May 19, 2011

http://www.nj.com/news/index.ssf/2011/05/pilot_program_to_evaluate_nj_p.html

TRENTON — A new system to evaluate public school teachers will be introduced this fall as a pilot program in some districts across the state, a department of education official said this morning.

While testifying before the state Senate Education Committee, Andrew Smarick said the Christie Administration hopes to introduce the new system in which teachers would be evaluated partially on test scores and partially on classroom observations to all districts by the start of the 2012 school year.

The governor has proposed legislation that would link teachers' performance under the new system to decisions about tenure, merit pay and layoffs. The Christie-appointed New Jersey Educator Effectiveness Task Force crafted the revamped evaluation tool, unveiled in March.

"This will be the cornerstone for other education reforms we want to do," said Smarick of the seven education reform bills Christie backs that are stalled in the legislature.

One major hurdle to getting the pilot program off the ground will be completion of a statewide data system that can match students' scores on standardized tests to their teachers. The system, known as NJSMART, currently lacks this capability.

State Sen. Teresa Ruiz (D-Essex), chairwoman of the committee, said she sees the launch of a pilot evaluation program as a starting point to engage teachers in ironing out the details of the new system.

"We need a pilot in place so we can see what works and what doesn't work," Ruiz said.

The state has not yet announced the names of districts who will participate in the pilot program, but Ruiz said she hopes the state selects districts that are both high performing and low performing who educate students of varied backgrounds.

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