

# Advancing Democratic Education: Would Horace Mann Tweet?<sup>1</sup>

Gene V Glass<sup>2</sup>

A democratically run public education system in America is under siege. It is being attacked by greedy, union-hating corporations and billionaire boys whose success in business has proven to them that their circle of competence knows no bounds.

If we can find the answer to the question in our title, perhaps we will find the answer to the question “What can be done to restore democracy to public education in America?” But to begin to answer these questions, we have to start our inquiry some 30 years ago, when America’s public schools were said to be in a state of crisis.

## A Nation at Risk

President Reagan thanks his commission  
for something he never read, *A Nation at Risk*



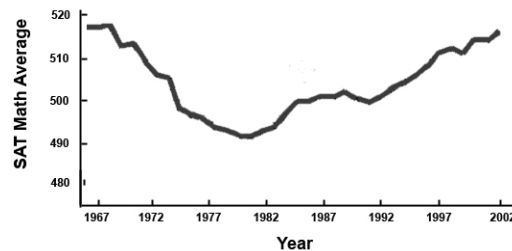
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<sup>1</sup> This is the text of a speech delivered to the Ohio Deans Compact in Dublin, Ohio, on February 4, 2016. I think Aimee Howley and Deb Telfer, organizers of the meeting for the invitation to address the group.

<sup>2</sup> Emeritus Regents' Professor, Mary Lou Fulton Teachers College, Arizona State University; Research Professor, School of Education, University of Colorado Boulder; Senior Researcher, National Education Policy Center; Lecturer, Connie L. Lurie College of Education, San José State University.  
Thanks to David C. Berliner and Sandra Rubin Glass for comments on an earlier draft.

*A Nation at Risk*, which appeared in 1983, maintained that a declining public school system threatened not just the U.S. economy but the nation's very existence. Having been commissioned in 1981 by the newly elected President Ronald Reagan, the report was gratefully received in the White House rose garden. Reagan never read the report. But he took the occasion to reaffirm his K-12 education program: "In a 1982 Gallup poll, the majority of those surveyed thought Washington should exert less influence in determining the educational program of the public schools. So, we'll continue to work in the months ahead for passage of tuition tax credits, vouchers, educational savings accounts, voluntary school prayer, and abolishing the Department of Education." None of these points was raised in the report itself.

## ***The Crisis That Never Was***



**American 12th-graders scored at the very bottom of the rankings.**

(William Raspberry, *Washington Post*, March 12, 1998, p. A-15)

**Poor academic showing hurts U.S. high schoolers.**

(T. Henry, *USA Today*, February 25, 1998, p. 1-A)

**Hey! We're No. 19!**

(John Leo, *U.S. News & World Report*, March 9, 1998, p. 14)

But what the report did mention was that the SAT average of some incoming college freshmen was declining. This so-called crisis called for immediate action. Of course, we now know that the SAT decline was a result of an increase in the number of poor and minority students applying to college as a result of Lyndon Johnson's Great Society programs. It had nothing whatsoever to do with the quality of teaching and learning in America's schools. While the overall average SAT was declining, the SAT average of every ethnic group was rising: Simpson's Paradox. Look it up.

The best available evidence on the quality question came from National Assessment testing which has shown small and steady increases for decades, right up to the present.<sup>3</sup> However, "best available evidence" is of no interest to those who see the possibility of exploiting America's schools for personal or political gain.

<sup>3</sup> I served on the Analysis Advisory Committee of NAEP in the late 1970s. Among the various encouraging things we observed but were seldom noted outside the organization were such things as the decline in physical sciences achievement and increase in biological sciences achievement as a result of the nation's schools redirect curriculum emphasis.

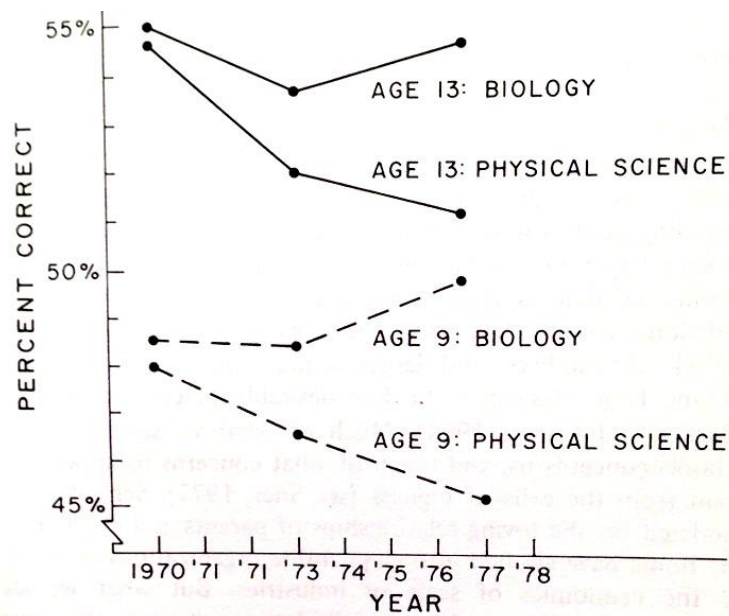
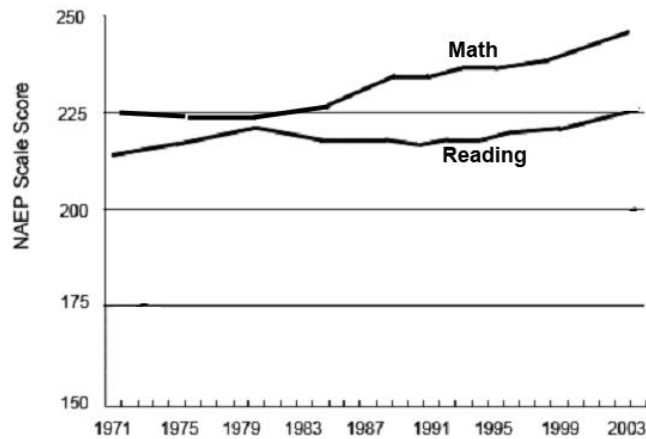


Figure 1.7 Average science test scores for the United States from 1970 to 1977 from the National Assessment of Educational Progress

Consider the modern day version of “a nation at risk.” Various international assessments of achievement rank the U.S. below average in the world achievement sweepstakes. Journalists sarcastically announce that “We are 19<sup>th</sup>” worldwide in science and math, or that we trail Lichtenstein in reading achievement. I cannot take the time here to dispel the multitude of pernicious myths that stem from the absurdity of these international assessments. But let’s consider just two instances.

In the early TIMSS<sup>4</sup> assessments in science and math, the U.S. scored below many nations. Lost in the panic of what must be done to restore America’s 9-year-olds to world dominance were some simple facts: The U.S. was one of four nations that did not allow its test takers to use calculators; it was the only nation not tested in the metric system (and remains to this day one of three nations

<sup>4</sup> TIMSS = Trends in International Math and Science Study.

not on the metric system; Liberia and Myanmar being the other two); and most nations scoring higher were testing students at ages ranging from several months to more than a year older than the U.S. examinees (the directions to examiners were to test students who are in the next to last year of high school).

## ***Those Japanese Kids Read Really Great***

Exhibit A-3. PISA 2003 Average Scores in Reading for 15 Year Olds

Nation	Average	
Finland	543	
Korea	534	
Canada	528	
Australia	525	
Liechtenstein	525	
New Zealand	522	
Ireland	515	
Sweden	514	
Netherlands	513	
Hong Kong-China	510	
Belgium	507	
Norway	500	
Switzerland	499	
Japan	498	
Macao-China	498	
Poland	497	
France	496	
United States	495	
Denmark	492	
Iceland	492	
Germany	491	
Austria	491	
Latvia	491	
Czech Republic	489	
Hungary	482	
Spain	481	
Luxembourg	479	
Portugal	478	
Italy	476	
Greece	472	
Slovak Republic	469	
Russian Federation	442	
Turkey	441	
Uruguay	434	
Thailand	420	
Serbia	412	
Brazil	403	
Mexico	400	
Indonesia	382	

Tom appeared on the sidewalk with a bucket of whitewash and a long-handled brush. He surveyed the fence, and all gladness left him and a deep melancholy settled down upon his spirit. Thirty yards of board fence nine feet high. Life to him seemed hollow, and existence but a burden. ~Mark Twain

Tom ist auf dem Bürgersteig mit einem Eimer von Tünche und einer langbehandelten Bürste erschienen. Er hat den Zaun vermessen, und alle Freude hat ihn verlassen und eine tiefe Melancholie auf seinem Geist geberuhigt wird. Dreißig Höfe von Ausschusszaun neun Füße hoch. Leben, zu dem ihn Hohlraum geschienen hat, und Existenz aber eine Last. ~Herr Twain

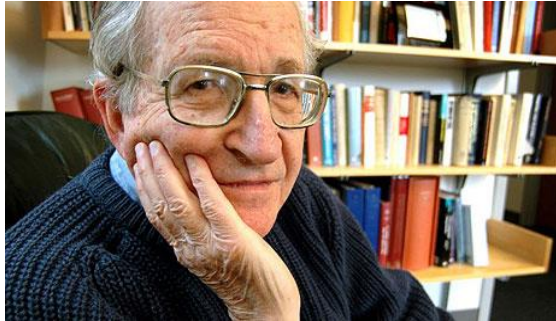
The absurdity of the TIMSS assessment is nothing compared to the PISA<sup>5</sup> assessment in Reading. We hear that U.S. students can't read; they rank 17<sup>th</sup> out of 34 nations; even Lichtenstein students outscore them. The sky is surely falling. But who has asked the simple obvious question, "In what language is the test written?" Esperanto? No, the PISA reading test has to be written in the language of each nation in which it is administered. What could be more obvious or so rarely mentioned? And how can one equate the difficulty of the test in all these various languages? The answer is simply that one cannot.

The PISA documentation from Boston College, the contractor for much of the assessment activities, contain a 37-page Appendix alleged to prove that whether the test is written in English, Finnish, Hungarian, or Swahili, it will be equally difficult. In fact, this appendix is a bunch of mathematical and psychometric mumbo jumbo that I don't trust for a minute. So I emailed the person at Boston College and asked for a sample of a dozen or so questions in English and their counterparts in German – since I majored in German 50 years ago and had some chance of judging the equivalence myself. My correspondent at Boston College wrote back and told me that the tests themselves were proprietary and could not be released in any form. I was out of luck.

<sup>5</sup> PISA = Programme for International Student Assessment

My Boston College correspondent was my own doctoral advisee at the University of Colorado in the early 1970s.

Democracy depends in fundamental ways on transparency.



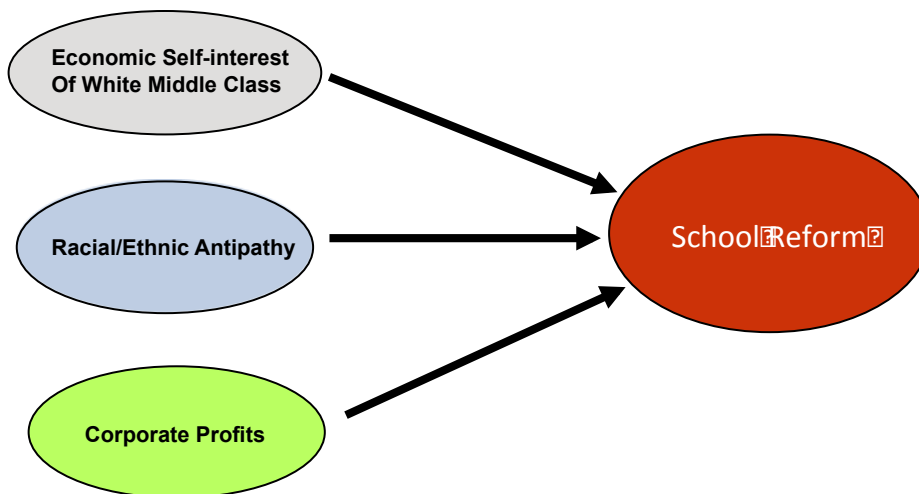
**Educational reform is a euphemism for the destruction of public education.**

**Noam Chomsky ~ 2013**

### What Sustains the Myths of Failure?

If certain interests can sustain the myth that America's public schools are failing to educate the nation's children, then they can command an audience for their solutions – which take a form called “reforms.” It is my contention that the reforms currently sweeping through our nation's school system serve a combination of interests: 1) the desire of a dwindling, aging white middle class to contain or even reduce taxes that support public schools; 2) the desire of that same segment of the population to segregate its children and grandchildren from the rapidly growing Hispanic population; and 3) the desire of a small number of large corporations to get their hands on as much as possible of the expenditures for public education.

### 3 Things Driving Education Reform

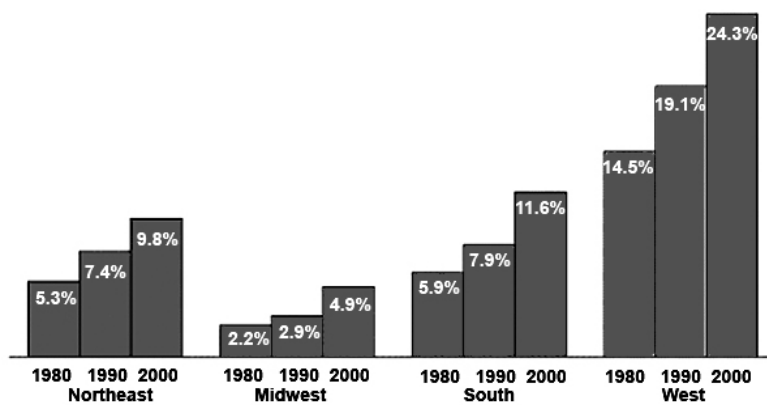


## The Forces Driving School Reform

### 1) America is growing older, poorer, and browner.

Medical technology is extending life and allowing people to live longer. Unfortunately, the “high school graduate, white, Me-generation” segment of the population (ages 30-50) is killing itself with drugs, alcohol, and cigarettes. But the bulk of the population is living longer. And they are outliving their assets and resent seeing their property taxes going to the education of the rapidly increasing Hispanic portion of the public school population.

#### America Is Growing *Browner*, Older & Deeper in Debt



Percent Hispanic of Regional Population, 1980, 1990 & 2000

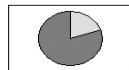
#### America Is Growing *Browner*, Older & Deeper in Debt



1900: 1 in every 25 Americans classified as "elderly"

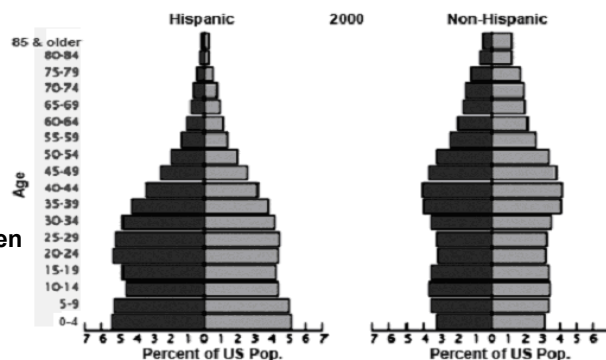


1995: 1 in every 8 Americans classified as "elderly"



2025: 1 in 5 Americans will be classified as "elderly"

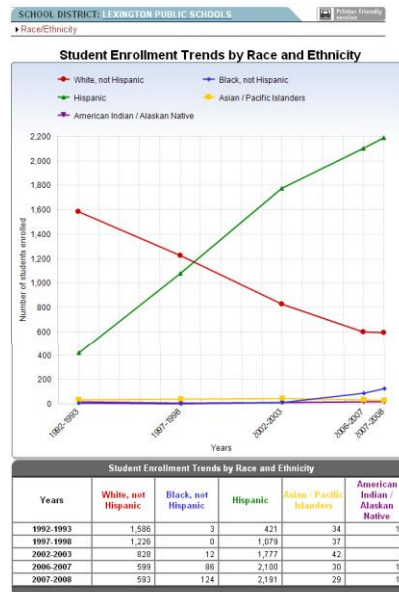
25% of all children under age 5 are Hispanic.





Among those reforms that can cut or at least restrain the growth of taxes are charter schools, alternative teacher training, class size increases, value-added measurement (VAM) and other forms of union busting.

## So You Think Resegregation Isn't Real?



2) **Segregation.**<sup>6</sup> Those who pay the taxes that make public education possible view the minority segment of the school population as a threat. Of course, this sense of threat is absurdly overstated. The chances of being struck by lightning in one's lifetime – 1 in 700,000 – are about one-fourth the chance of being killed by a terrorist. And the threat of one's children being injured by a minority fellow student or hooked on heroin by such students is similarly hugely exaggerated in the minds of parents: 35% of parents fear that their child will be shot; 45% fear that the child will be beaten up; 60% fear that their child will be bullied.<sup>7</sup> Consequently, reforms that segregate white, middle class students from minorities are greatly favored by the public. Among those reforms are charter schools, tuition tax credits, private schools, and even various forms of tracking (e.g., AP courses) within traditional public schools.

### 3) The Corporate Sector

It was Rupert Murdoch – the Australian billionaire owner of Fox News, the Wall Street Journal, and nearly countless other assets – who long ago sounded the charge against democratic public education. It was Murdoch who pointed out to corporate America – and Great Britain, I must add

<sup>6</sup> The graph shows the White vs Hispanic enrollment of the Lexington, Nebraska, schools over a decade after the Tyson meat packing corporation established a site in the town. It documents extensive "White flight" from Lexington to small rural schools in the vicinity.

<sup>7</sup> Pew Research Center survey of 1,800 parents with children under age 18, conducted in October 2013.

– that public education in the U.S. was a half-trillion dollar annual plum just waiting to be picked by the business community. And corporations have been gobbling up the low hanging fruit with a vengeance ever since.



Once upon a time, private business profited from providing services and materials to public schools by selling them pencils, an occasional overhead projector, and mystery meat for the cafeteria. But today, through the mechanism of charter schools and assessment activities like VAM, PARCC<sup>8</sup> and Smart Balance, private businesses have set their sights on the entire state allocation for students; and they are reaping enormous profits at public expense.

Pearson PLC, the largest publishing and test development corporation in the world based in Great Britain, recently spent \$8 million in one year lobbying Congress for favorable legislation. Far more is spent by education corporations lobbying state legislatures. Families for Excellent Schools, which is actually a charter school lobbying group, spent \$9.6 million in 2014 lobbying the New York state legislature in Albany. Their goal is obviously to expand the revenue stream of the charter school industry. That year they outspent the teachers union 3-to-1 on advertising and lobbying.



The charter school movement may have started as a dream of a few starry-eyed liberals who thought they knew more about how to teach children than did professional educators. The movement has now been co-opted by Educational Management Companies. These companies bribe politicians and dodge state laws with phony non-profit foundations that have set their sights on tax monies collected for public schools. My own half-time home state of Arizona has long been a leader pointing the way toward everything that is wrong with the charter school movement.

Take the Arizona-based Basis Charter School “company” for example. Basis runs about a dozen charter schools, mostly in Arizona but with a couple in Texas and Washington D.C. They were started in 1997 by a retired economics professor from the University of Arizona named Michael Block and his wife Olga. Basis Scottsdale and Basis Tucson were recently rated among the top ten best high schools in America by *US News and World Report*. The combined graduating classes of those two schools that year totaled fewer than 75 students – an insignificant fraction of the honors tracks of the high schools in those two cities. Basis achieves its high rates of college entrance and high test scores on the SAT or the National Merit exam by ruthlessly washing out all but the most capable students through a gamut of testing that starts in the early elementary grades. A typical Basis school has 300 second graders and 35 seniors. Basis Charter Schools, a non-profit entity as it must be in the state of Arizona, purchases its teachers and all services from the profit making Michael Block company, whose income in recent years has exceeded \$30 million annually.

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<sup>8</sup> PARCC = Partnership for Assessment of Readiness for College and Career.



If you think this picture can't get worse, think again. (Basis is no Gulen, but it's almost as bad.) Recently, Basis was caught outsourcing its bookkeeping to Olga Block's family in the Czech Republic. Currently, Basis has classified a significant portion of its students as "autistic." Autistic students are allocated about \$20,000 per year instead of the \$8,000 for regular charter school students. One of my former students investigated Basis expenditures and found that \$0 were spent on programs for special needs students. He reported such to the state department of education. He was informed that the state has no responsibility – nor authority – to monitor how these dollars are spent. Low hanging fruit indeed!



If you are born poor  
It's not your mistake  
But if you die poor  
It's your mistake

~Bill Gates

### The Billionaire Boys & the Circle of Competence

A second force driving contemporary school reform are the billionaire boys.<sup>9</sup> Some have called them the Philanthrocapitalists.

The wealth gap, that started under Reagan in 1981 and was greatly accelerated under both Bill Clinton and Bush #43, has created a class of billionaires, some of whom have decided that their genius deserves to be more widely shared. Bill Gates is representative of a class that includes Mark Zuckerberg, David Welch (who bankrolled Vergara), the many Waltons, Carl Ichan, Eli Broad, John Arnold, Michael Dell, Michael Bloomberg, and a few dozen hedge fund owners.

These people talk in terms of hundreds of millions of dollars to promote the privatization of public education. Eli Broad has promised \$500,000 to promote the growth of charter schools in Los Angeles. The Waltons, long-time contributors to charter schools, recently announced a \$1 billion

<sup>9</sup> Precisely how the billionaire boys are ruling our public schools has been brilliantly documented by Joann Barkan in Dissent magazine: <https://www.dissentmagazine.org/article/got-dough-how-billionaires-rule-our-schools>

campaign to “reform education.” On January 12, 2016, Netflix founder and CEO Reed Hastings announced on his Facebook page that he was creating a \$100 million foundation to fund education, primarily the charter school industry.<sup>10</sup>

### The PHILANTHROCAPITALISTS What do they contribute?

- ✓ \$\$\$ to those who are willing to play;
- ✓ An inconsistent, unreliable stream of support;
- ✓ A lack of accountability to the public.

... we're at 8% of students in charter schools in California, whereas in New Orleans they're at 90%, so we have a lot of catching up to do ....



Due to a shared interest in playing bridge online, billionaire Gates befriended billionaire Warren Buffett, the latter from my great native state of Nebraska. Now, my respect for Bill Gates is so tiny that it cannot be detected by the Hubble telescope. Suffice it to say that he is in my estimation no genius; he has stolen (by “backward engineering”) most of the ideas that have made him his fortune, and he owes his wealth to winning patent infringement cases in court. Not incidentally, his father is a trial lawyer.



**Net worth**  
**\$81.1 Billion**  
**\$123 Million**  
**mansion**

Microsoft Admits Keeping \$92 Billion Offshore to Avoid Paying \$29 Billion in U.S. Taxes  
- David Sirota (2014)  
**\*Update: \$108.3 Billion!!!**

\$29 billion =  
\$2 million for every  
school district in U.S.

<sup>10</sup> “The work ahead is really hard because we’re at 8 percent of students in California, whereas in New Orleans they’re at 90 percent, so we have a lot of catching up to do. ... So what we have to do is continue to grow and grow... It’s going to take 20 to 30 years to get to 90 percent of charter kids.” So spoke Reed Hastings. (Jacobs, Joanne. 2015. Disrupting the education monopoly. *Education Next*, 15(1). Available online at <http://educationnext.org/disrupting-the-education-monopoly-reed-hastings-interview/> )

Warren Buffett, on the other hand, is a true genius. Buffett's partner in the creation and management of Berkshire Hathaway is Charlie Munger. Charlie had an uncle who cornered the market on women's shoe buttons in the early 1900s. Uncle thought that if he was smart enough to corner the shoe button market that he was probably the smartest man in the world. And at every family occasion, Charlie's uncle would hold forth on any subject in perfect confidence that his opinions were God's own Truth. Buffett and Munger came to refer to arrogant know-it-alls as suffering from the Shoe Button Complex.

#### WARREN BUFFETT'S CIRCLE OF COMPETENCE



Their antidote to the Shoe Button Complex is their concept of the Circle of Competence. There is a narrow circle within which we are truly competent, and we step outside it at our peril. During the Internet bubble of the late 1990s, Buffett was constantly asked which tech stocks he was going to buy. None, he said. Buffett reminded his questioners that in the 20<sup>th</sup> century the U.S. was home to more than 500 different automobile manufacturers. “Why,” he said, “would I try to guess which of the hundreds of tech companies would succeed in the 21<sup>st</sup> century?” Instead he bought the entire Fruit of the Loom company, confident in the knowledge that people in the future would continue to wear underwear.

Tevye sings in “If I were a rich man”:

When you're rich, they think you know  
 The most important men in town  
 Would come to fawn on me  
 It won't make one bit of difference if  
 I answer right or wrong

Unfortunately, Bill Gates – who in the last decade has had more influence on education policy than any other person in the country – knows no limits to his understanding of what America's public schools need. Make no mistake, Gates has purchased his influence; it has not come to him by dint of his having demonstrated his competence to design the new U.S. education system.

One of Gates's most ambitious, early efforts to reform America's public schools was the small schools project. He announced to the National Governors Association in 2005 that "America's high schools are obsolete." He planned to replace them with "small schools" – high schools of fewer than 400 students. Large city superintendents were only too eager to cooperate. After all, Gates would invest more than \$2 billion in the project, most of which would end up in the budgets of the superintendents. More than 2,500 small high schools were created in 45 states with Gates's money. Now much can be said for small schools, and those that evolve naturally out of a context of history and geography have much to recommend them. But to decree by fiat that suddenly massive schools of thousands of students will be broken into schools of 400 students is a plan for disaster. After enough time had passed to shift through the ruins of Gates's project, journalist Joann Barkan described the devastation: the project "... produced many gut-wrenching sagas of school disruption, conflict, students and teachers jumping ship en masse, and plummeting attendance, test scores, and graduation rates."

Chastened but apparently no wiser, Gates summoned one hundred leading educators to his home in Medina, Washington in 2008. (My invitation must have got lost in the mail; or maybe my Windows crashed, and the email was dumped.) Gates announced that the small school project had failed, but that he was now prepared to back his next set of great ideas: VAM, Common Core, and school "turnarounds" (fire the staff, close the school and replace it with a charter school). Surely those educators – including Arne Duncan – were quaking in anticipation of Gates opening his purse once again. Within six months, Duncan had created a new position in the Department of Education: Director of Philanthropic Engagement.

One need only listen to Gates expound on the needs of public education to understand that this man is a software engineer with little understanding of people, particularly children. Bill Gates spoke thus to the U.S. Congress in 2009:

"When the tests are aligned to the common standards, the curriculum will line up as well—and that will unleash powerful market forces in the service of better teaching. For the first time, there will be a large base of customers eager to buy products that can help every kid learn and every teacher get better."

And Gates was quoted in a Wall Street Journal article in 2011, that the Common Core "...is like having a common electrical system. ... It just makes sense to me."

Gates is not talking about fostering the development of young children. He's talking about fostering the development of computer software. Before software writers could write their programs, they had to have a standard operating platform – read DOS – on which they could build their software. And when everyone was writing software for the same operating system, the entrepreneurs and the company that built the operating system would prosper. The only problem for Mr. Gates's advocacy of the Common Core and Value-Added-Measurement of teachers is that children are not apps and the nation's school system is not a computer operating system. It is nothing short of incredible that anyone with any knowledge of children<sup>11</sup> or teaching would listen to poppycock like this. And if I may speculate, those who have listened and worse, acted on it, have done so in hopes of being blessed with financial support from the world's richest man.

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<sup>11</sup> Bill and Melinda Gates have three children: two daughters and a son.

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Bill Gates is not the only Billionaire Boy who thinks he knows better than educators and parents about how to run schools. Enter the Koch brothers.

### **Charles & David, The Koch Brothers**

**Sons of Fred Koch, Oilman &  
Founder of the John Birch Society**

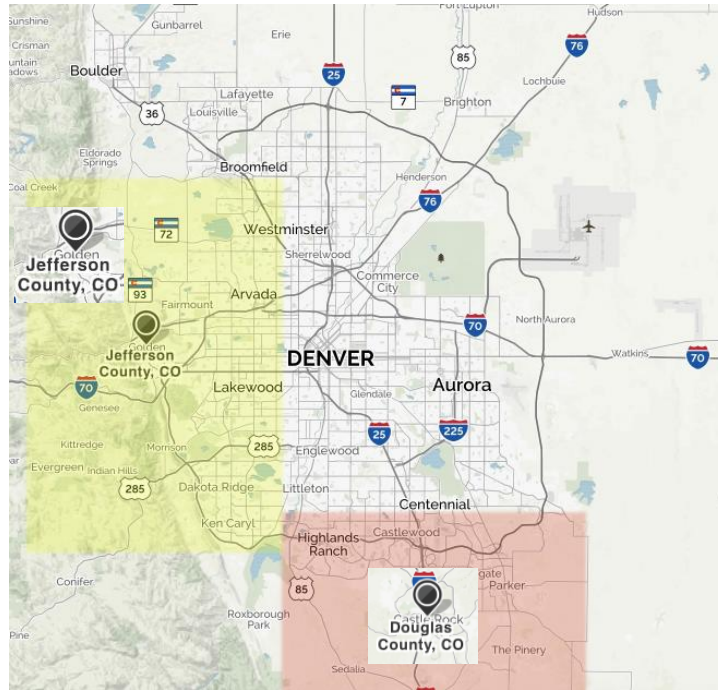


The Koch brothers are Wichita oilmen who made their first few millions the old fashion way: by inheritance from their father, who just happened to be one of the key founders of the John Birch Society. David and Charles Koch have pledged to spend half a billion dollars influencing the 2016 general election. According to Mitch McConnell, in an unguarded moment at a cocktail party, the Koch brothers own the Republican party. And surely McConnell's confession is more truth than poetry. Witness the Keystone pipeline.

The purpose of the Keystone pipeline is to transport some low-grade petroleum from the Canada oil sands region to the Gulf of Mexico to be refined and sold on the world market. The U.S. stands to gain a few thousand jobs in the construction of the pipeline and fewer than 2,000 jobs long-term in its maintenance. Why, then, did the Keystone pipeline become a fight-to-the-death issue for the Republican party in the last session of Congress? Because the largest owner of Canadian oil sands are the Koch brothers.

Now the Koch brothers have not been content to pursue their self-interest simply by purchasing national politicians. They have funded development of curricula that teach high school students about business – bottom line: the government is too involved in regulating America's businesses. And for some years now they have been funding candidates in local school board elections. Their greatest success and their greatest failures have been in two white suburban school districts adjacent to Denver, Colorado.

## Jefferson (yellow) & Douglas (red) Counties Targets of Koch Brothers School Board Takeover Attempts



Jefferson County school district is one of the geographically largest school districts in the nation. It enrolls 85,000 students in a middle class suburb west of Denver. Douglas County, a middle class suburb south of Denver that is also one of the fastest growing counties in the nation, has a school district that enrolls 65,000 students. The Koch brothers successfully influenced school board elections in both districts recently. The Americans for Prosperity Foundation, which is funded by the Koch brothers, spent \$50,000 on an ad campaign promoting Denise Denny, a key figure in Douglas County's TEA Party.

The Koch brothers also funded school board candidates in Jefferson County school district races, and managed to win the majority of seats for conservative – TEA Party – candidates. The results have been disastrous.

Douglas County schools hired a superintendent who instituted value-added measurement (VAM) of teachers and other union-busting measures. In September 2013, the *National Review* asked whether Douglas County was “The most interesting school district in America?” In July 2015, the Colorado Supreme Court ruled that the district's voucher program was unconstitutional.<sup>12</sup> Parents

<sup>12</sup> From Colorado State Constitution:

Section 7:

Aid to Private Schools, Churches, Sectarian Purpose, Forbidden.

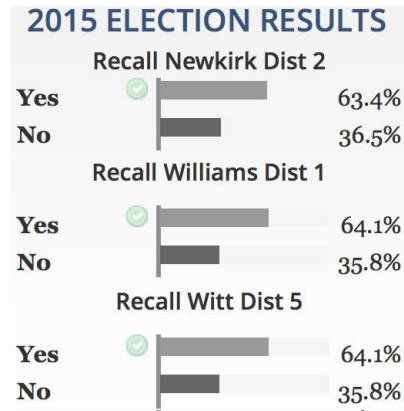
Neither the general assembly, nor any county, city, town, township, school district or other public corporation, shall ever make any appropriation, or pay from any public fund or moneys whatever, anything in aid of any church or sectarian society, or for any sectarian purpose, or to help support or sustain any



and teachers alike suffered under the Koch regime for several years before the November 2015 election turned away all three Koch-backed board members.

In neighboring Douglas County, three incumbents – Kevin Larsen, Richard Robbins and Craig Richardson – who claimed seats on the school board as part of a reform push several years ago lost in their re-election bids. (Denver Post, Nov. 3, 2015)

The Jefferson County school board, operating under the direction of three Koch-backed members, initiated a review and attempt to replace the AP history curriculum, which they judged to be insufficiently patriotic. Students, teachers, and parents did not take this intrusion lying down. Students shut down schools and took to the streets. Teachers picketed and parents organized demonstrations. A recall campaign was organized; and on November 3, 2015, the three Koch board members were unseated in a recall election. Exactly how this happened in both Douglas and Jefferson counties can provide us with case studies in winning back democratic control of our schools, and may tell us if Horace Mann would choose to Tweet.



The Koch brothers and Bill Gates as political figures are a creation of the Supreme Court's decision in *Citizens United*. In the view of Justice Scalia, corporations are people and *ipso facto* have freedom of speech, and money is a form of speech. Hence, corporate contributions to candidates cannot be restricted because that would be restricting free speech. As never before, money rules.

The Billionaire Boys are the very anti-thesis of democratic education.

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school, academy, seminary, college, university or other literary or scientific institution, controlled by any church or sectarian denomination whatsoever; nor shall any grant or donation of land, money or other personal property, ever be made by the state, or any such public corporation to any church, or for any sectarian purpose.

## Who Killed Democracy?



Justice Antonin Scalia

### Citizens United vs FEC

- ☐ Persons have Freedom of Speech
- ☐ Corporations are Persons
- ☐ Money is a Form of Speech
- ☐ Ergo: Corporate Spending on Elections Cannot Be Restricted

## ALEC: The Instrument of Education Reform & The Death of Democracy

The corporations, in their effort to suck the money out of America's public schools, needed a means of hiding their intentions and their blatantly self-serving operations. Enter ALEC, the American Legislative Exchange Council.



### Who funds ALEC?

- American Bail Coalition
- AT&T
- Coca-Cola
- Crown Royal Liquor
- ExxonMobil
- Johnson & Johnson
- **K12 Inc.**
- Koch Industries
- Kraft Food
- Phillip Morris
- Salt River Project
- State Farm Insurance
- Wal-Mart

Prisons, cigarettes,  
junk food and,  
oh yes,  
public education too!

ALEC, for those who haven't heard, is the nexus between dozens of large corporations and state legislators. If you remember nothing else from here, please remember this: **ALEC is the most powerful political force in the United States today.** You are obliged to learn what it is and how it operates.

The corporation lobbyists write the bills that they want passed, and a collection of ALEC task forces hand them over to the ALEC membership—state legislators—who carry them home to be

introduced and frequently passed in largely Republican dominated state legislatures. In 2013, one thousand ALEC-written bills were introduced in legislatures throughout the nation; 100 of them became law.

ALEC's corporate members are a Who's Who of some of the largest corporations in America: ATT, Coca-Cola, Crown Royal Liquor, ExxonMobil, Johnson & Johnson, K12 Inc., Koch Industries, Kraft Food, Phillip Morris, State Farm Insurance, Wal-Mart. Oh, yes, and let us not forget: Pearson PLC. Each stands to profit greatly from laws that they cause to be written.

Why do the legislators carry water for the corporations? I never cease being amazed at how cheaply legislators' support can be bought. The price for getting your favorite bill introduced is as cheap as junkets to fancy resorts, a few cigars, a round of golf, or a chance to rub elbows with Fortune 500 CEOs who someday just might remember the name of a cooperative politician from South Dakota or Alabama.

ALEC's membership is composed of about 2,000 dues-paying state legislators – all of whom are Republican – and a hundred or so large corporations. The legislator's membership fee is \$35; corporations pay considerably higher fees, as you might suppose. ALEC's role in voter suppression efforts in the 2012 presidential election were so repugnant to some corporations that they pulled out of the organization. They earlier saw nothing repugnant in any of ALEC's main thrusts: privatization of public institutions, tort reform to limit corporate liability, union busting, and suppression of clean environment legislation.

ALEC is the instrument of the modern mode of transacting business in America. It is called crony capitalism. Consider one of the most egregious examples: Corrections Corporation of America.

CCA is a major member of ALEC. It is based in Nashville, Tennessee. It advertises itself as a provider of "public-private partnerships" in prison management. CCA contracts with states to run prisons. CCA manages more than 65 prisons with a capacity of more than 90,000 beds in 19 states and the District of Columbia. So they are approaching management of 10% of the U.S. prison population. Revenue to CCA in 2014 approached \$2 billion. Of course, CCA revenues depend in essential ways on a steady stream of inmates, and here is where their state partners come in. Coached by ALEC, state legislators pass laws that ensure that CCA will have ample clients: "three strikes and you're out," denial of parole, and punitive victimless drug crimes are just a few. A newly minted contract between CCA and the state of Arizona stipulates that the state guarantees 90% occupancy of the new prison that it will turn over to CCA to run.

ALEC's impact on state education policy has been considerable. They have focused on testing, charter schools, tax credits, online courses, and online charter schools. Their member legislators have dutifully carried back to their home states bills that remove limits to the number of charter schools in a state, that permit charter schools to be entirely online (cyber-charters), and that require a certain number of online courses for any high school student to graduate. These bills are written by lobbyists for Connections (now owned by Pearson PLC) or K12 Inc.

State education policy is being written in the ALEC Education Task Force. Now the title "task force" connotes a small working group that comes together, thinks a problem through, and floats its ideas to a larger body for consideration. Of course, the ALEC task forces are working groups in name only. In reality they are conduits through which corporations funnel their self-serving

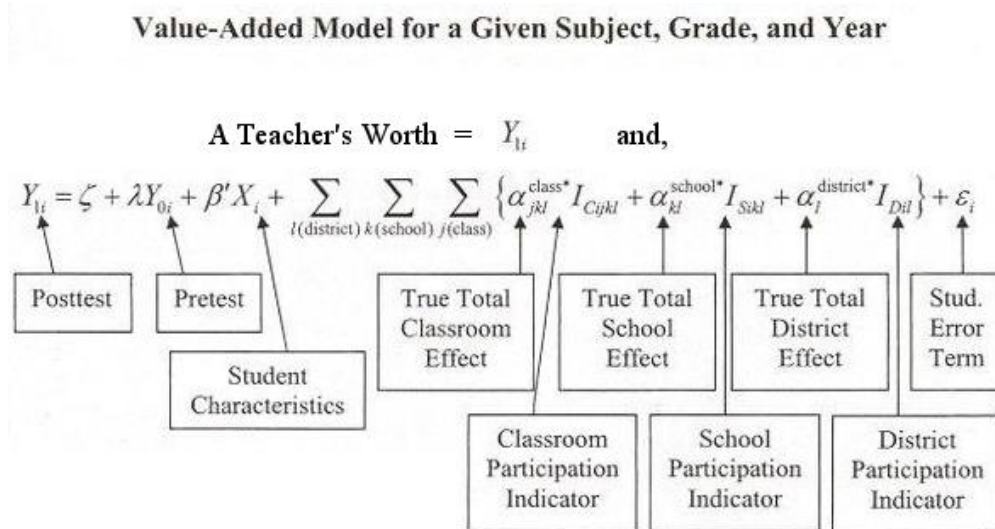
legislation to states. How many members of ALEC serve on the Education Task Force? 114 — One-hundred-and-fourteen! Ohio has six members on the ALEC Education Task Force.<sup>13</sup> Corporations who want special membership on the Education Task Force pay an additional fee of \$2,500. The co-chair of the Task Force is an employee of the Phoenix-based Goldwater Institute, and has veto power over any recommendation coming out of the committee.

### A Case Study in the Democratization of Education Policy

This depressing history of crony capitalism and the dwindling influence of the public in public education is enough to shake one's hope for the democratizing of our education system. But perhaps there is a point of light that can be magnified.

Consider VAM.

VAM is the acronym for Value-Added-Measurement. VAM has been proposed as the scientific means of evaluating teachers. Teachers must add value to their students' lives, or what good are they? But of course, in the view of Bill Gates and Lamar Alexander, Value means the pretest-posttest gain on standardized tests.



VAM is a stupid idea. It has been a stupid idea for decades. I wrote a chapter in a book edited by Linda Darling-Hammond back in 1989 in which I argued that VAM was a monumentally stupid

<sup>13</sup> Nan A. Baker (District 16), John A. Carey, Jr. (87), Cliff Hite (1), Gerald L. Stebelton (5), Kristina D. Roegner (42), Marlene Anielski (17).

idea for several reasons. 1) There are no accepted standardized achievement tests in the majority of school subjects (social studies, science, history, art, music, physical education, and the like); 2) Consequently, VAM must be moved to the level of the school, not the individual teacher, which must be rewarded or punished based on the pretest-posttest gains; 3) Bonuses based on VAM results are called “merit raises” but they are really just cost-of-living raises; 4) The administration of the tests can never be made secure.

I found six school districts across the nation that insisted they had instituted VAM and that it was working. Upon examination, VAM proved to be as evanescent as the morning dew. In its most celebrated application, the school principals, who had not been rewarded for their schools’ addition of value, approached the district superintendent and demanded their own reward. After all, weren’t they the school’s “instructional leader” – a dubious notion in my opinion? The superintendent began to reward the principals with bonuses of \$10,000 to \$15,000. Within two years a couple of principals were caught in their offices with the answer sheets, an eraser, and a No. 2 pencil. The district’s VAM program collapsed.

Where was that district? Who was that superintendent? Houston. Rod Paige, George W. Bush’s Secretary of Education who brought VAM to No Child Left Behind. Later, Gates blessed VAM for Arne Duncan and the Obama administration.

It became apparent over the lifetime of No Child Left Behind that not only had VAM failed but that students were spending far too much time taking standardized tests and that the curriculum itself was being corrupted by the federal requirements for testing. Two sources of resistance began to take form.

## **Resistance**

Some university-based academics began to sound a warning that maybe VAM was not the answer for teacher evaluation. (I am under no illusions that my 1989 chapter on VAM had even one iota’s impact on testing policy.) In the early 1990s, people like Aimee and Craig Howley and myself were exploring this new world of the Internet. I started an online forum to discuss education policy. Before we knew it, nearly 1,000 academics had signed up and were debating education policy. Before long, we were deep into debates about VAM – which at that time was being developed in Tennessee under the aegis of Lamar Alexander who would eventually take it to Washington D.C. I will hazard the opinion that that debate revealed VAM to be an incredibly stupid idea. (I am likewise under no illusions that the online debate on VAM had even one iota’s impact on testing policy.) Perhaps my chapter and the Internet forum simply didn’t carry the authority of an august body like the American Educational Research Association.

So a couple years ago, AERA empaneled a subcommittee of its Board to examine the VAM issue.<sup>14</sup> After a couple years’ study, the committee presented their statement to the AERA Board. The statement was approved by the Board and published first online on November 10, 2015. This date is important. Here is the nub of the statement:

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<sup>14</sup> To the chagrin of some who served on the subcommittee, the executive officer of AERA chose a person to “oversee” the subcommittee’s work who was known to be an apologist for the shortcomings of VAM. That AERA sells a substantial portion of exhibit space at its annual meeting to assessment companies is almost too obvious to note.



#### Sub-Committee Recommendations on VAM

1. Tests used must be reliable and valid
2. Multiple years of data required
3. Tests must be comparable over time
4. Systems must be monitored for quality

VAM scores must only be derived from students' scores on assessments that meet professional standards – by which they mean AERA's standards – of reliability and validity.

VAM scores must be accompanied by separate lines of evidence of reliability and validity.

VAM scores must be based on multiple years of data from sufficient numbers of students.

VAM scores must only be calculated from scores on tests that are comparable over time.

Evaluation systems using VAM must include ongoing monitoring for technical quality and validity.

(Educational Researcher, 2015, Vol. 44, No. 8, pp. 448-452.)

I submit to you that these statements are vacuous truisms. No state, district or federal agency devoted to VAM would be the least threatened by these kinds of mealy mouthed recommendations. Measurement must be reliable and valid – yes, of course. But how reliable? How valid? Data should be plentiful – yes, of course, plentiful data are always a good thing. Systems should be monitored – yes, by all means. But by whom? And what will these monitors look for? Academics opposed to VAM – including myself and several of my colleagues – have labored and brought forth a mouse.

Now, the redrafting of NCLB, known ironically as the Every Student Succeeds Act, was made public in early October this year. The date is important. ESSA slapped down VAM and the over-testing of students that was being pushed by Bill Gates and Arne Duncan. Why did this happen? The answer to this question contains the answer to one other question: Would Horace Mann Tweet?

Two years prior to the passage of ESSA, a movement was taking shape, at first slowly and outside the view of the mainstream corporate media (which had also fallen for the Gates Foundation's line on school reform – recall NBC's Education Nation<sup>15</sup>). It was a grass roots movement of parents, students and teachers who had suffered through a half-dozen years of misery produced by No Child Left Behind. It was becoming apparent to all concerned that students were spending

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<sup>15</sup> Other sponsors of NBC's Education Nation included Pearson PLC and the University of Phoenix.



inordinate amounts of time preparing for, taking, and recovering from standardized tests. These tests often had little correspondence with what teachers felt was important to teach. These tests were driving out of the curriculum subjects like science and art and music and social studies. Teachers known to colleagues, parents and students as competent, even outstanding, were being labeled “failing” by VAM and recommended for remedial training.



The voices of parents and teachers and students were beginning to be heard in new venues. And the voices were saying, “Opt out!” “Students, play hooky on test day.” “Parents, keep your children home on test day.” “Teachers, keep your heads down.” And these venues were brand new and they were online: Facebook (created in 2004), Twitter (created in 2006), Instagram (created in 2010), Snapchat (created in 2011).

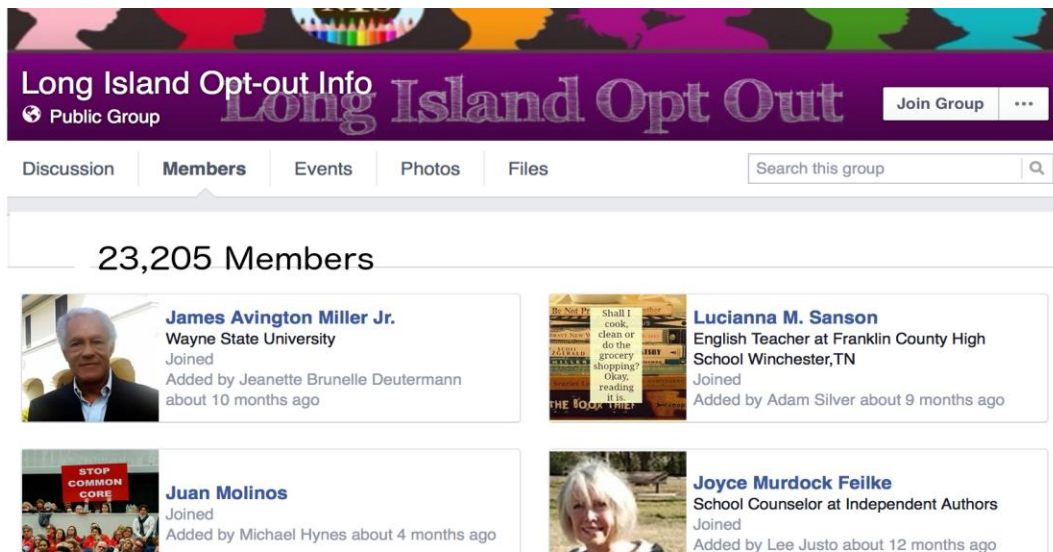
The call was heard and the impact was immediate and powerful. In spring 2015, 20 percent of eligible students refused to take the mandated New York state assessment. In the spring 2014, between 60,000 students opted out of the grades 3-8 Common Core tests in New York state – 20% of the eligible examinees. In 2015, the number topped 200,000. In Washington State, more than 60,000 students opted out of the state Common Core test. In Illinois, 20,000 students refused PARCC in spring 2015. And the opt out movement spread like a conflagration across the country: New Jersey, Florida, Colorado, New Mexico.

ESSA was signed into law on December 10, 2015, by President Obama. It will allow states to decide how to weigh their standardized test scores and decide whether and how to evaluate teachers with or without said scores. **I contend that what academics could not do, what the American Educational Research Association could not do, was done by citizens on social media. The voice of thousands, nay millions, of people spoke louder to politicians than the voice of Pearson-backed ALEC or the billionaire boys.**

Exactly how ESSA and the Department of education will deal with the Opt Out movement is a mystery. Diane Ravitch requested clarification from Lamar Alexander’s staff on how opting out would be dealt with.<sup>16</sup> The response was a model of mealy mouthed compromise of conflicting forces. There are requirements, there are waivers, there are threats, there are punishments, and there is passing the buck. In my opinion, the actions and the voice of the people are stronger than the Department of Education.

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<sup>16</sup> See <https://mail.google.com/mail/u/0/#inbox/15269a63d0737d04>



And here is why I believe it to be the case. Less than an hour's searching on Twitter produced 30 accounts (Twitterers) with names a variation of STOP COMMON CORE and with combined Followers of more than 28,000 individuals. And we must understand this about Twitter (and Facebook and other social media). Their reach is incalculable. A Twitter follower of a tweeter will "retweet" a posting, and that message will instantly go to all of that retweeter's followers. One message to 1,000 followers may be retweeted to 100,000 followers of the original tweeters followers.

The opt out movement is organizing itself. Their website is at [unitedoptout.com](http://unitedoptout.com), and they are holding a national meeting on February 26-28, 2016, in Philadelphia. It now calls itself, United Opt Out: The Movement to End Corporate Education reform.

Mark this. My fine chapter on the evils of VAM appeared in 1989. Our Internet forum that declared VAM a huge mistake was finished by 1995. The AERA statement on VAM was made public on November 10, 2015, a month AFTER the publication of the Every Student Succeeds bill by Congress. However, the social media Opt Out movement grew to juggernaut proportions in Spring 2015. There is no doubt in my mind that it was the Opt Out movement – created and carried out in social media – that changed ESSA 2015. And change things it did. A close reading of the Act will reveal the fingerprints of several corporations: Teach For America; the charter school industry; and most notably, Pearson PLC. Corporate friends of Congress managed to insert sanctions against states that didn't deliver 95% of their student body on test day, a blatant move against the Opt Out movement – one reminiscent of the 90% prison capacity clause in Correction Corporation of America contracts. But in spite of these attempts by Congress's capitalist cronies, the pressure of the grass roots Opt Out movement prevailed.

The release of the bill in the third week of October 2015 showed that Pearson PLC had taken a huge hit. The unhinging of VAM from teacher evaluation that had been pushed so enthusiastically by Arnie Duncan under NCLB caused Pearson stock to drop precipitously. Pearson stock dropped simultaneously with the public release of the ESSA bill.



### Pearson PLC Stock Price, Oct. - Dec. 2015

Five years ago, 26 states were planning to administer Pearson's Common Core PARCC tests. By August, 2015, only seven states remained with PARCC. On December 22, 2015, Pearson (PLC) stock closed at \$11.02 per share, the lowest since the 2008 crash. In January, 2016, Pearson replaced the Governor of Massachusetts, the chairperson of the PARCC board, with the Governor of New Mexico, without any fanfare or even a public announcement. Massachusetts had earlier pulled back on its commitment to purchase most of their assessment items from Pearson. Was all of this the effect of the Opt Out movement and the Opt Out's impact on ESSA? Yes.

Pearson is scared. In early 2016, they announced plans to downsize by 4,000 employees – 10% of its workforce – and they fired their CEO and CFO.

### Would Horace Mann Tweet?

One last personal aside before we address the question regarding Horace Mann.

I have harbored a growing sense during the last few years that my original academic specialty – education measurement – was passing slowly to the dark side. From 1960 onward, I believed that we psychometricians were doing the work of the angels on earth. We were speaking Truth to Power, but I learned too late that Power was listening to Politics. Things came to a head this past August when I posted to my blog an 800-word explanation of "Why I Am No Longer a Measurement Specialist." Diane Ravitch reposted a link to the blog entry, and a few people on Twitter retweeted it.<sup>17</sup> Within a week, the statement had been downloaded more than 12,000 times. It had touched a nerve. Such is the reach of social media.

<sup>17</sup> <http://ed2worlds.blogspot.com/2015/08/why-i-am-no-longer-measurement.html>

Finally, would Horace Mann have a Twitter account if he were alive today? Or would he be lobbying Congress or Albany or Sacramento to secure big contracts for some corporation?

Horace Mann, we must remind ourselves, was a 19<sup>th</sup> century educational reformer. He served as Secretary of the Massachusetts Board of Education and was elected to the U.S. House of Representatives in 1848. The historian Ellwood Cubberly wrote of Horace Mann that ...

“No one did more than he to establish in the minds of the American people the conception that education should be universal, non-sectarian, free, and that its aims should be social efficiency, civic virtue, and character, rather than mere learning or the advancement of sectarian ends....”<sup>18</sup>

If Horace Mann were alive today, I think he would be alarmed by what is happening in this country to our public education system.



- ☐ Would Horace Mann Tweet?
- ☐ Would he have a Facebook page?
- ☐ Would he have a Blog?
- ☐ Would he use Instagram?
- ☐ Would he own a selfie stick?

Would Horace Mann Tweet? *Yes, he would.*

Would he have a Facebook page? *Most decidedly.*

Would he have a Blog? *You bet.*

Would he be using Instagram to promote democracy in education? *Without doubt.*

Would he own a selfie-stick? *Probably not.*

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<sup>18</sup> Cubberley, Ellwood P. (1919) *Public Education in the United States*. Boston: Houghton Mifflin. p. 167