

Nobody's success depends on whether the students learn

Ted Kolderie's talk at the Citizens League "Mind-Opener": "Closing the Gap"

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It's worth asking first why a series about improving the performance of poor students should be a discussion about policy. Some would argue it ought to be a discussion not about school but about problems outside: about poverty, about family, about society. And if it's to be about school educators might argue it ought to be about what happens in the classroom.

But it's useful to focus on policy. For two reasons. First: While factors outside school clearly do contribute to the problem of low performance, policy cannot always do very much about poverty, drugs, the youth culture . . . though it certainly should do everything it can. Policy can reach the institution of school; and school makes a difference. Second: While 'good practice' in the classroom clearly can improve performance, there is the problem that districts too often fail to adopt it. Organizations failing to do what they could do and should do is a sign something is wrong in a system. A system-problem is a problem for policy, since public education exists in state law.

The central question about the continuing failure of poor students in our schools really is why that failure isn't being effectively dealt-with today. (The more you hear people saying how important something is, the more you should ask them: "If it's so important why aren't you doing it?") The 'good things' the editorials urge districts to do are broadly known and not basically in dispute. It takes good people; but we have good people. It takes money; but we have money. There is always the cry for 'More!', but there is also a question about how well the money already voted for poor kids is being used. Consider:

* Title I was voted for poor kids in 1964. It provides about \$84 million a year for Minnesota. Proposals for tighter targeting in 1995 were resisted. The threshold is low enough that today, still, all but five districts get some. Within the city districts it's fairly well targeted -- to schools where over 50% of the kids are eligible for free school lunch. (Saint Paul targets more tightly than in Minneapolis.) But within the school it's no longer targeted to poor kids. It can be used "school wide" for any purpose. Within a school it cannot be targeted to a grade-span (say, to K-3, for reading).

George Farkas, a sociologist at the University of Texas at Dallas, would target to be sure that kids are reading by the end of grade three. He developed a program of reading to young kids that works at dramatically lower cost than other such programs, and thus serves more kids. But he uses college and graduate students, paid an hourly rate. The Dallas Title I program basically cut him off. Chapter 12 of his book is a lesson about what districts put first.

* In 1971, at the initiative of the Citizens League, an additional 40% was added to the formula for kids from AFDC families. Authors intended and assumed this money would go to the schools where those kids were enrolled. It didn't. The districts shortstopped it. Legislators remember this as the price paid to get big-city support for the re-equalization of education finance that year. Since '71 between \$1.5 and \$2 billion intended for poor kids has never been allocated to the schools where these kids are enrolled.

* About 1990 the state began giving Minneapolis, Saint Paul and Duluth aid and levy for 'desegregation'. It now totals almost a quarter-billion dollars, to date. Early on, the person now commissioner said, "We have no idea what's happening with that money." When the department began to ask, a Minneapolis legislator put through a bill providing for the districts to report to the Legislature rather than to the department. If you ask what the Legislature does with those reports the answer is: "Nothing". Last year the Legislature did not get a report.

* Schools get allocated equal numbers of teachers, not equal dollars. Senior teachers represent more dollars than younger. Teachers use their seniority rights under the contract to work themselves out of elementary and inner-city schools; into high schools and schools in the corners of the city. This creates significant intra-district disparities. Minneapolis used to publish a report that showed, by school, the proportion of teachers with MA and above and the proportion of students eligible for free school lunch. At the junior high level the inverse correlation was perfect. Schools full of poor kids get fewer dollars than schools full of middle-class kids. In Los Angeles this produced the Rodriguez lawsuit: The district is now equalizing per-pupil spending by school, under a consent decree. Here nobody looks at intra-district disparity.

Program-improvement, too, is at stake in the question of who controls the dollars. Allan Odden of the University of Wisconsin says from his experience: When the district gives schools FTE they go on doing the same thing. When the district gives schools dollars they do something different.

One more example. In the early 1970s Minneapolis and Saint Paul began hiring more minority teachers. When the Baby Boom crashed in 1974 teachers had to be laid off. In Minneapolis and Saint Paul seniority is built into law. Last-hired must be first-fired. Rep. Ken Nelson put in a bill to exempt the newly hired minority teachers from the operation of the seniority rule. I remember running into the MEA lobbyist shortly after supporting the bill, in my column for the CL News. All Gene could say was: "So sensitive; so sensitive!" Ken's bill was killed.

The pattern is clear. Boards, superintendents and unions work to get the revenue to the district level so it can be allocated according to district priorities. In this allocation poor students do not come first. Adult interests come first. Student interests are always at the margin: the first to be cut when revenues fall; "the next thing we promise to address" if revenues are increased. Relatively few referenda occur on the salary settlement.

Why do districts — full of good people with good intentions — not put student learning first? The reason is clear. This is the way the Legislature has structured and rewarded the districts to behave. The framework of law — which is "the system", as John Brandl uses that term — puts the district simultaneously in the business of student-learning and in the business of school operations. As Paul Hill, Larry Pierce and Jim Guthrie point out in their new book, these roles conflict. The district has to deal with the day-to-day imperatives of running the district. It does not "have to" pay attention to student learning in anything like the same way. So inevitably its responsibilities to adults take precedence over its responsibilities to students.

Albert Shanker, the late president of the American Federation of Teachers testified to this, in effect, in Saint Paul in May 1991: "We in education are not going to do the hard things needed to change the schools unless we have to. Unless there are consequences. Something has to be at stake. There is, in other fields: Your organization could fail. People

in these fields dislike change too. But they have to do it. We in education don't. For us nothing is at stake. If our kids do brilliantly nothing good happens. If we don't push we can count on remaining popular with our colleagues."

This is a majoritarian political institution. Set up with members elected at-large, the board feels pressure to offer something to everybody. It is built to respond to the patterns of influence in the community. So a board will feel, for example, that it is important to hold middle-class families in the district. The district controls the money and hires the people. Vendors want contracts; employees want salaries. It has to respond to adults whose support it cannot take for granted.

By contrast, as Shanker said at the Itasca Seminar in 1988, the district "can take its customers for granted". The combination of mandatory attendance, districting, its exclusive franchise, and per-pupil financing creates an arrangement in which the state effectively assures the districts their customers, their revenues, their jobs, their security; everything important to their material success. And this assurance holds whether or not the district changes and improves, and whether or not the students learn.

The central fact about the system as presently structured is that nobody's success depends on student success. The reward-structure pays off whether or not the institution accomplishes the mission it has been given to perform. At the same time, as Howard Fuller told the board when he became superintendent in Milwaukee in 1991: "We have a system without consequences for failure; in which everyone is protected except the children

With this perverse structure of incentive and reward, it is predictable and understandable that the district behaves as it does. As Paul Hill says: The system is not built to put students first. If we want it to put student interests first, the Legislature will have to change the way it is built.

The lawsuits could have done this, but apparently will not. In the Saint Paul case most clearly the relief sought appears to be simply money. The state resists this, but raises no question about the ability of the districts to use the money in ways that put the interests of poor kids first. The prospect thus is that if the state wins, and financing is not increased, poor kids' interests will not be advanced; and that if the plaintiffs win — and spending does increase — poor kids' interests still will not be advanced.

Interestingly, a case can be made that the state has failed to meet the requirement of the constitution. These are not equity' suits, like Skeen. These are 'adequacy' suits, which allege the state is failing to do enough to provide for student learning. The constitution requires the state to provide a "thorough and efficient" system of schools. 'Efficient' means "capable of accomplishing the result intended". Depositions, testimony and cross-examination could probably show that as presently organized the system set up in state law does not, will not and cannot put student learning first; that it is therefore not 'efficient' and is therefore unconstitutional.

The districts were not about to make this argument. But it is fascinating to think what might have happened if the state — some of the sued parties, at least — had 'admitted' rather than denied the complaint. It would then have been possible to ask the courts to reshape the role and powers of boards of education so their primary obligation would no longer be to school operations, but would be to student-learning.

* First, the Legislature must take away the ability it has given the district to take its customers — the parents and kids for granted, and thus to put adult interests first. This means continuing to expand the program of public-school choice that began to come in with the Post-secondary Option in 1985. Poor parents especially need and want to be able to say: "If my child is not learning not only am I going to leave but I am going to take the money with me."

* Second, the Legislature must make it increasingly possible for new and improved learning-programs to appear, among which students may choose. This can be done in either of two ways.

If boards of education decide they want to be in the student-learning business — setting objectives, deciding how much to spend, selecting the learning programs, monitoring performance and enforcing accountability — the Legislature should then enlarge their ability to change and improve the program of learning they offer. The bills this year for school-based financing, for contracting and for an improved program of charter schools would all do that.

If, alternatively, boards decide they want to remain basically in the business of owning and operating the public utility, the Legislature should then open the door widely to other organizations to offer school, or to sponsor schools, which students may choose to attend. The charter and open-enrollment bills fit in here, too.

Somehow, the school board community needs to think this through. Or, perhaps, the Legislature simply needs to decide which business it wants school boards to be in. The state has a major stake in this. It is committed to a system of standards and assessment, which it is now introducing. But if boards do not change and improve their learning programs dramatically enough to raise student performance to meet the standards in the time allowed, the 'Grad Rule' will fail. One way or another the state must turn K/12 into a self-improving institution.

There are hopeful signs. The decision by the board and superintendent in Duluth is the first by a district in Minnesota to use the charter law affirmatively to create a new school that will challenge its existing schools. But powerful forces have quickly been mobilized to stop charter schools and therefore boards from bringing in certain improved learning programs. Change will be a struggle; as it always is.

Which brings us to the problem of how to get the Legislature to make the system-changes needed.

It would help tremendously if the leadership in public education would acknowledge rather than deny the existence of the system-problem. Those inside the institution know the truth; but will not say in public what they say in private. In public they feel compelled to defend existing arrangements. And to insist that student interests always come first, as if there were no adult interests at all.

It would help, too, if those outside — and in the press — would be as realistic and as questioning with respect to this institution as they are with respect to other institutions. If they would not take quite at face value the assertion that the traditional statutory

framework is OK and that the job can be done if only the public will provide loyal support and additional resources (and perhaps "better kids").

It really serves no purpose to exhort an organization to do things it knows it should do, but which are hard to do and which the organization has no reason to do. Or to exhort the public to "care more". As somebody wrote recently, no problem was ever solved because people felt strongly about it. Problems are solved when people think deeply and realistically about what needs to be changed and act with a method that will be effective.

Perhaps more money will be needed, especially for poor students. But to add that expenditure into a system built to tolerate student failure would simply continue the long tradition of trading money for promises. The absolute requirement for additional financing is for the Legislature to redesign public education so that at last student success becomes necessary to the schools' success, because parents can move if their kids if their kids are not learning; and so that somebody — presumably the board of education — is responsible for, and only for, assembling a set of schools which do in fact work for kids. If schools do not work for poor kids, what hope can there be for desegregation?