

**HOOVER INSTITUTION  
STANFORD UNIVERSITY  
KORET TASK FORCE ON K-12 EDUCATION**

**BEST AND WORST IN AMERICAN EDUCATION, 2011**

BEST

1. Reinivigation of school choice via opportunity scholarships and vouchers.

Despite the attractive choice that private schools (especially Catholic schools) offer in many inner cities and notwithstanding the Supreme Court's resolution of issues of federal constitutionality, private school choice remained largely taboo politically until this year. In what history may view as a watershed, private school choice moved ahead in many places in 2011, including the District of Columbia, where the scholarship program was resuscitated in Congress by Speaker John Boehner; Indiana, where opportunity scholarships were made available to perhaps half the state's students; and Ohio, which lifted a too-tight cap on its program for kids exiting low-performing schools.

2. The rollback of collective bargaining agreements (CBAs) in Wisconsin, Indiana, New Jersey, Idaho, and (temporarily) Ohio.

Progress in improving education is slowed by union contracts that impede sensible decisions about the hiring, firing, deployment, and compensation of educators. CBAs also drive up costs. Moreover, many public sector workers are generously compensated—and enjoy relatively secure jobs—and their gold-plated benefit systems are bankrupting states and school systems. Voters and courageous state leaders finally put these issues on the table in 2011, and five states made major reforms in the pertinent statutes. (Ohio's were undone in a November referendum.) Besides actual progress in modifying and limiting the scope of CBAs, states have now made CBAs into a normal area for reform.

3. California State Board of Education's rules that allow the "parent trigger" to operate.

Under the parent trigger, if a petition signed by more than half the parents in a school requests it, a district public school must be turned into a charter school or there must be some other transformational remedy. California was the pacesetter here in 2010. Four more states have since passed laws creating such a mechanism, and similar measures are under consideration in dozens of other states. The implementing rules promulgated by the California State Board of education during 2011 are crucial, however; without them, the parent trigger would be mired in legal and procedural disputes.

4. Former DC chancellor Michelle Rhee's teacher-evaluation system left in place by new mayor Vincent Gray without substantial change.

When Gray replaced Mayor Adrian Fenty in 2010 with the help of union support, it was widely supposed that he would roll back Rhee's path-breaking teacher-evaluation plan. That plan deviated boldly from standard systems for teacher evaluation, which typically find virtually every teacher's performance satisfactory (or better). The District of Columbia's multifaceted, two-year-old IMPACT system is generally viewed by teachers as fair and is being used—now by Chancellor Kaya Henderson—to judge teacher performance and authorize dismissals based on classroom ineffectiveness (and other factors). It also offers financial rewards to teachers doing the best jobs. It should serve as a national model.

5. Indiana's overall record of education reform.

During 2011, Indiana abolished collective bargaining for teacher benefits and work rules. It allowed all universities to authorize charter schools and removed its cap on charter schools. The legislature also enacted a program of opportunity scholarships for low-income students that Indiana state

superintendent Tony Bennett has correctly described as "the nation's most expansive." Indiana moved school board elections from spring to fall, in effect empowering the broader public to participate in the governance of its school systems. In sum: Indiana has the best reform record of any state in 2011.

## WORST

### 1. The Atlanta cheating scandal.

This was truly harmful for standards-based education reform, particularly because of how thoroughly it has been misinterpreted and misrepresented. What the public should have learned from the Atlanta fiasco is that cheating is easily preventable via test security (e.g., having a huge bank of publicly available questions of which a subset appears on each year's test; proctoring the rooms in which tests are given; securing the test papers; online test administration). Instead, what the public has "learned" is that testing is bad because it creates so much stress that well-meaning educators are pushed to the limit and eventually succumb (for the children's sake, of course!) to the temptation to cheat, lie, and break the law.

The cynicism with which some district administrators, teachers, and principals approached their responsibilities to the children of Atlanta is appalling. When they couldn't educate their students, they doctored their test papers in a systemwide effort to mislead parents, public officials, and the community that they were doing a good job. This is all the more discouraging because many Atlanta public school parents are poor and enjoy fewer choices of alternative schools than are available in other major cities.

### 2. Bungling of reauthorization of No Child Left Behind by a slowpoke Congress and a Constitution-oblivious president.

Congress has further delayed the overdue reauthorization of the Elementary and Secondary Education Act—aka No Child Left Behind—whose shortcomings have long needed fixing. Both parties share the blame for the delay. Now, using the dilatory Congress as his excuse, President Obama has turned to backdoor legislation-via-waivers. Such waivers will enact his pet reforms (some of which have merit) by decree. But the waivers have major constitutional and legal problems and have created even more bad blood with Congress. Public schools need accountability, whether through standards or school choice (or both). But, thus far, Congress and the president have bungled this.

### 3. Postponement and delay by Race to the Top-[en dash]winning states and weak oversight by the Obama administration

From an oversized pool of winners, favoring states with stakeholder (read, union) buy-in in 2010, to slowdowns in the pace of innovation by winners, to the administration's acquiescence to such dithering, this is no longer a race at all. States plod forward with tepid reforms. Delays are widespread. Where are the overdue, promised expansion of the number of charter schools, the promised performance-based teacher pay programs, and the promised data systems linking teachers to their students' test results? Georgia, Massachusetts, North Carolina, and, in particular, Hawaii are shameful laggards when it comes to teacher evaluations, which they promised to base in large measure on student gains.

Taxpayers watching this fixed race should demand their money back.

### 4. Governor Jerry Brown moving California from bad to worse.

Governor Brown signed California's AB 114, under which districts must retain staffing levels in the face of budget tightening—but may cut up to seven instructional days from the school year. What is the worst possible way to deal with school district budget woes? Shortening the year. But California, always proud of being a leader, has written into law that this is the preferred option when districts face budgetary shortfalls.

As if to top this off, when vetoing SB 547, Brown dismissed the use of test-score data and signaled that

he'd like to do away with testing altogether. Does this portend the demise of accountability in our largest state? He complained, among other things, that test scores don't measure "good character" or "love of learning."

5. The unions' victory in Ohio in overturning Governor Kasich's collective bargaining reforms.

Ohio's public sector unions are understandably upset by the reform of their own collective bargaining laws and practices, and on election day this November, they managed to undo a major reform measure. In reality, this vote had little to do with education—most Ohioans favor the kinds of education changes in that law (Senate Bill 5)—but, rather, with the police and firefighters who appeared on television all autumn suggesting that crime would rise and fires would burn if this measure were not undone. (It was a well-orchestrated and extremely well-funded campaign.)

Yet fiscal reality will have to be faced eventually. Ohio is already on the verge of collapse. Its school districts face a deficit of close to \$8 billion by 2015. Polls show that Ohio voters want benefits for public employees to resemble those in the private sector. In time, that means, Ohio teachers will have to pay more toward their health benefits and accept other reasonable changes or their districts will go broke and their students' learning will never improve.