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Fisher Could End Affirmative Action

In October the Supreme Court heard arguments in the case *Fisher v. Texas*, the outcome of which could determine the future of affirmative action policies for colleges and universities throughout the country.

The question the Supreme Court is reviewing is: Is the University of Texas justified in including race as a factor in admission decisions?

The case involves Abigail Fisher, a white woman who was denied admission to the University of Texas at Austin in 2008 and who contends she was not offered admission because of her race.



In *Fisher v. Texas*, the plaintiff argues that the UT policy's inclusion of race violates her constitutional rights, specifically under the Equal Protection Clause of the 14th Amendment, which states, "No state shall . . . deny to any person within its jurisdiction the equal protection of the laws."

The University of Texas currently uses a race-blind process to automatically accept enough students to fill 75% of available Texas resident spaces, a policy known as Texas's "Top Ten Percent Plan." Until 2011, this meant students in the top 10% of each Texas high school's graduating class were guaranteed admission, regardless of race. The rank requirement now changes annually, based on which rank is necessary to meet the 75% quota; Texas students hoping to enroll in the fall of 2014 will need to be in the top 7% of their graduating classes by the end of their junior year.

The University then fills the remaining spots in the upcoming class by evaluating students holistically, which means such things as high-school coursework and activities, test scores, and essays, as well as race and cultural background, are considered.

The Supreme Court's decision could overturn the current standard set by *Grutter v. Bollinger*, a 2003 case concerning the University of Michigan law school. In that case, the Court ruled schools are constitutionally able to consider race in admissions as long as it is only one factor among many.

Training Teachers for 'Social Justice'

At the Fifth Annual Northwest Conference on Teaching for Social Justice, race, class, white privilege, oppression, alternative lifestyles, identity — all the liberal buzzwords — were represented, and methods to encourage, train and promote students to become activists were out in full force.

The conference took place on October 20, 2012, at Madison High School in Portland, Oregon. It was organized by Seattle and Portland area "Rethinking Schools" groups; Social Equality Educators (SEE), an association of National Education Association union members; and Rethinking Schools, an "activist" publisher.

Humanities

One workshop addressed English literature, "focusing on the application of various critical theories (postcolonial, feminist, Marxist, and gay/lesbian) to *The Great Gatsby*." The course description adds that those "theories can be applied to any text and provide students more ways to connect with literature, read more deeply, and develop intellectual and political autonomy."

The conference offered two other literature-based sessions. "Understanding the Middle East Through Children's Literature" examined "the use of quality

children's literature to counter the negative images of Arabs so prevalent in media and popular culture" while "Smart Literature to Challenge an Ableist World" offered preschool through high school "teachers practical help to challenge ableism" which is defined as prejudice by able-bodied, able-minded people.

At the conference, the past was approached not so much as history as the history of voices "silenced by history." The Tulsa Race Riots in 1921 were presented in curricula to be taken back to the classroom. Another presenter offered "a model of how to do social justice work with young learners" by presenting a unit she taught to her 1st- and 2nd-grade classrooms on the U.S. Civil Rights Movement.

Science

The workshop "Facing Cancer: Social Justice Curriculum for the Biology Classroom" dealt with the "inequities of cancer incidence and mortality." "Testimony for the Tuskegee Syphilis Study" was presented as "an introductory lesson in a cell, epidemiology, or bioethics unit" and "an example of how to incorporate

social justice and writing into science."

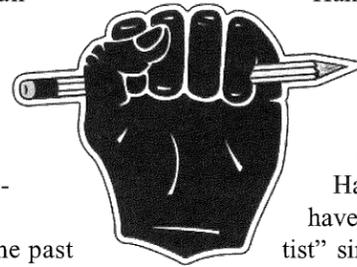
The session "Coal, Climate, and the World" began with a quote by James Hansen, director of NASA's Goddard Institute for Space Studies: "Coal is the single greatest threat to civilization and all life on our planet." Dr. Hansen's credentials could have included "activist scientist" since he has been arrested in protests and has testified for Greenpeace members. Dr. Hansen calls for carbon fees as "the only realistic path to global action" as a means of stabilizing climate, which he says "is a moral issue, a matter of intergenerational justice."

Sex

Two conference workshops addressed non-traditional sexual lifestyles. "Gender and Sexuality 101" was a workshop "meant to help educators develop an awareness of the issues facing LGBTQQIA (Lesbian, Gay, Bisexual, Transgender, Transsexual, Queer, Questioning, Intersex, and Asexual) people in schools."

The description of another workshop, "LGBTQ Inclusive Sex Ed," states that LGBTQ "youth are at significantly higher

(See *Social Justice*, page 4)



Public Virtual Schools: Education, Profit, and Influence

More than 200,000 American students in kindergarten through high school are currently being cyber-educated full time with no brick-and-mortar component. Thirty states and the District of Columbia have at least one full-time online school. These virtual schools are charter schools, governed by the individual state, by a local school board or by an independent commission, which is often formed by parents and/or teachers. The schools may utilize for-profit industry giants like K-12, Inc. (K12) or Connections Education for all or portions of their curriculum, teachers, record keeping, testing, and school operations.

Virtual education has the potential to be a positive force offering educational choices unfettered by zip code to parents and students, and by offering relief to states and districts desperately needing to cut costs. But virtual schools also face challenges, including development of sound funding criteria, delineation of geographic boundaries, establishment of control by responsible entities, clarity on teacher workloads, accurate measurement of student progress, and guarding against improper influence by those who will gain financially from the creation of schools. As is always the case with major reform, the virtual school movement calls for close monitoring.

Virtual schools exist for a variety of reasons and serve a variety of student populations. Some students and parents

are seeking an individualized course of homeschool study for educational, philosophical, or religious reasons, while others want to escape an unsafe or failing urban school.

Students use a computer to learn subjects ranging from alphabet recognition to geography to literary analysis to calculus. They may receive support and guidance from an online teacher, a parent or guardian or some combination of those. Homework and course grading can be done by a computer, a parent, or an online teacher. Some programs offer students and teachers interaction via telephone and some have an occasional face-to-face component, either live or via computer.

Funding

Virtual schools, like other public charter schools, are paid for with public money, and because in many cases taxpayer money is essentially being paid to private companies, some fight the virtual school movement because they oppose any seeming privatization of a public institution.

Per-pupil funding for virtual schools is currently based on brick-and-mortar

school expenditures, with actual educational costs having no place in virtual school funding formulas. States usually allocate fewer dollars per student for virtual

learning but the actual costs of virtual schooling remain mysterious. It is generally understood that virtual schools operate more cheaply than their brick-and-mortar counterparts.

The largest for-profit virtual education provider, K12, does not open its books to provide actual costs of educating students. Founded by a former banker, a former U.S. Secretary of Education, and Michael Milken, the convicted "junk bond king," K12 is expected to generate \$680 million in revenue in 2012. Over 80% of this comes from the "managed public school segment," which is K12's term for virtual public schools. In a December 2011 article about virtual schools, *The New York Times* said of K12: "a portrait emerges of a company that tries to squeeze profits from public school dollars by raising enrollment, increasing teacher workload and lowering standards."

Another complication of virtual education is that geographic boundaries can be murky. In a high-profile example of this issue, former Senator Santorum was

(See *Virtual Schools*, page 4)



EDUCATION BRIEFS

A 16-year-old student at Charles Carroll High School in Philadelphia was ridiculed by her geometry teacher, Lynette Gaymon, for wearing a Romney for President shirt to class on casual dress day. Student Samantha Pawlucy claims the teacher encouraged other students to make fun of her, asked her to leave the classroom because her shirt was offensive, pulled her into the hall, and attempted to scribble on her shirt with a red pen. The teacher allegedly compared Samantha to the Ku Klux Klan and stated that Carroll was a "Democratic school."

Ernest Stromberg, professor of Humanities at California State University, Monterey Bay, sent an email to students claiming that failure to pass Proposition 30 would result in higher fees and fewer classes for students. "This is one more example of those inside government who are taking advantage of their taxpayer-funded positions to force their political beliefs upon students," said a representative of the Howard Jarvis Taxpayers Association, which has filed suit against the university. University officials said the email was "unfortunate and inappropriate."

Occupy Wall Street has been ineffective in convincing "Millennials" that Wall Street is the source of their economic woes, according to a survey by the non-profit non-partisan group Generation Opportunity (GO). 47% of people in the age group 18-29, would prefer to work on Wall Street than to protest against it. Just 2% of 18- to 29-year-olds participated in the protests and only 11% know someone who participated. Millennials blame politicians more than the business community for their employment and financial woes. According to the GO survey, 76% of Millennials plan to vote in the Presidential election.

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WI Judge Strikes Down Act 10

The Wisconsin law that broke the union stranglehold on Wisconsin schools in an effort to gain fiscal balance lost most of its force on September 14, when a judge ruled parts of Act 10 to be unconstitutional. The lower court ruling sets the stage for a state Supreme Court battle and throws Wisconsin school districts' current budgets into chaos.

After Dane County Judge Juan Colas overturned key parts of the Wisconsin law, Governor Scott Walker issued this statement: "The people of Wisconsin clearly spoke on June 5th. Now, they are ready to move on. Sadly, a liberal activist judge in Dane County wants to go backward and take away the lawmaking responsibilities of the Legislature and the governor." June 5th was the date the governor won the election a second time against the same opponent, in a recall fueled by the union.

Many union leaders and teachers are pleased with the ruling. "As we have said from day one, Scott Walker's attempt to silence the union men and women of Wisconsin's public sector was an immoral, unjust and illegal power grab," stated Phil Neuenfeldt, president of the Wisconsin State AFL-CIO.

Act 10 allowed collective bargaining with government union workers only over cost-of-living salary adjustments, eliminating bargaining over other issues such as health benefits, safety, and pensions. This severely reduced the power of the Wisconsin teachers union. Since police and fire fighters could bargain on all issues, Judge Colas ruled the law was unfair as all workers were not treated the same. Overturning the law apparently strikes down provisions that workers pay half of their pension contribution and at least half of their health care premiums.

Last year Act 10 was temporarily blocked when another judge said the state legislature had violated open meeting laws, but the state Supreme Court overturned that decision and restored the law. Governor Scott is confident that the state will ultimately win this new battle on appeal.

School district budgets for 2012-13 were based on Act 10 provisions. Now many districts' contracts/agreements with their unionized teachers are back to the status quo, but there is no longer money from the state to fund that status quo.

West Bend School Superintendent Ted Neitzke said, "We don't have the money to pay for what we used to do."

MALLARD FILLMORE / by Bruce Tinsley



Palm Beach County Schools Offers Free Breakfast for All

All 175,000 Palm Beach County Public School students are being offered a free breakfast and the only requirement to receive it is to show up half an hour before school starts, according to an article appearing in the *Palm Beach Post* (9-6-2012). Free breakfasts were previously offered at county schools where 80% of students qualified for free or reduced-price lunches. Next the restriction was lowered to 50% of students demonstrating need, then 40%, and now all 187 schools in the district offer free breakfast to every student, five days a week, regardless of need.

The school breakfast is designed to meet 25% of a student's recommended dietary allowance. Offerings include pancake sausage wraps, burritos, quesadillas, blueberry pancakes, scrambled eggs, and cold cereal. Menus are available in English, Spanish, Haitian-Creole, and Portuguese.

The breakfasts will not deplete the local school district budget because the money to fund the \$96 million Food Services program comes from state and federal grants. Allison Monbleau, General Manger of School Food Service said, "This will go from now until the end of time, if we can swing it."

Palm Beach County School Board member Chuck Shaw stated that missing breakfast is often a question of time rather than a student's economic situation. Fellow school board member Debra Robinson agreed, saying she recalls difficulties finding time to feed her children breakfast before school.

Across the country breakfast and dinner are being added to students' school-day expectations. School officials say they expect better behavior and improved academic performance once children are offered school breakfast although there is no definitive study demonstrating such a correlation.

Miami-Dade Public Schools Food and Nutrition Administrative Director Penny Parham was quoted in the *Palm Beach Post* saying, "There's no downside to kids eating breakfast." But there is a downside for everyone if state and national budgets can't afford the expenditure. Proponents of the program failed to explain the downside of children whose families have plenty of money eating breakfast at home; or why parents like Debra Robinson can't give their children breakfast themselves if their children are already getting up 30 minutes earlier to get to school in time for breakfast at taxpayer expense.



Book of the Month



The Victims' Revolution: The Rise of Identity Studies and the Closing of the Liberal Mind, by Bruce Bawer, HarperCollins, 2012, \$25.99

THE VICTIMS' REVOLUTION
The Rise of Identity Studies and the Closing of the Liberal Mind
BRUCE BAWER

The Victims' Revolution is a history of the people and events that fractured American society into subgroups, and the imposition of the resulting divisive culture onto college campuses. Bruce Bawer describes a gradual deterioration of critical thought and intellectual pursuit as the field of humanities at universities has become a morass of identity studies, offering indoctrination rather than education to students.

Bawer's descriptions of conferences he attended and of college course offerings are sometimes amusing, but this is not an amusing book. Rather it is a startling assessment of the depths to which academia has fallen.

The unifying factor among identity studies programs is that they all rely heavily on dogma lifted from Marxist doctrine, focusing on the evils of Western imperialism, colonialism and capitalism.

According to Bawer, Women's Studies programs' anti-Western sentiment runs so deep that students can't address the issues of genital mutilation, honor killings and the subjugation of women in Muslim societies, because to do so would assert Western ideology upon another culture.

Black Studies programs evolved from black superiority and separatist movements of the 1960s, notably the radical Black Panthers. Bawer claims Black Studies is today, as it was then, first and foremost about power. Famous professors like Maulana Karenga, the author of the most widely used introductory text in Black Studies, and Michael Eric Dyson thrive on controversy from which they derive power. When Dyson participated in the University of Pennsylvania's "Great Religious Thinkers of the West" series, he presented the thoughts of Tupak Shakur. Karenga holds that African Americans are descendants of ancient Egyptians and that anyone disputing this is a racist.

Queer Studies is the new name for Gay and Lesbian studies. Based on "Queer Theory," it isn't about sexual orientation, but is about the political choices of marginality and radicalism. To be "queer" is to choose to be outside of society and its norms.

Bawer believes the prospects for a comeback of the rich humanities education American universities once offered is bleak. At a Chicano Studies conference, professors bemoaned young Chicano students' focus on future careers and their accomplishments rather than on being concerned about their supposed oppression. Bawer encourages parents to thoroughly investigate universities their child may consider attending and alumni to keep a close watch on their former campuses.

FOCUS: A Right to Choose Single-Sex Education

By Senator Kay Bailey Hutchison and Senator Barbara Mikulski, Originally published in the *Wall Street Journal*, 10-17-12

Education proponents across the political spectrum were dismayed by recent attempts to eradicate the single-gender options in public schools in Virginia, West Virginia, Alabama, Mississippi, Maine and Florida. We were particularly troubled at efforts to thwart education choice for American students and their families because it is a cause we have worked hard to advance.

Studies have shown that some students learn better in a single-gender environment, particularly in math and science. But federal regulations used to prevent public schools from offering that option. So in 2001 we joined with then-Sen. Hillary Clinton and Sen. Susan Collins to author legislation that allowed public schools to offer single-sex education. It was an epic bipartisan battle against entrenched bureaucracy, but well worth the fight.

Since our amendment passed, thousands of American children have benefited. Now, though, some civil libertarians are claiming that single-sex public-school programs are discriminatory and thus illegal.

To be clear: The 2001 law did not require that children be educated in single-gender programs or schools. It simply allowed schools and districts to offer the choice of single-sex schools or classrooms, as long as opportunities were equally available to boys and girls. In the vast and growing realm of education research, one central tenet has been confirmed repeatedly: children learn in different ways. For some, single-sex classrooms make all the difference.

Critics argue that these programs promote harmful gender stereotypes. Ironically, it is exactly these stereotypes that the single-sex programs seek to eradicate.

As studies have confirmed — and as any parent can tell you — negative gender roles are often sharpened in coeducational environments. Boys are more likely, for instance, to buy into the notion that reading isn't masculine when they're surrounded by (and showing off for) girls.

Girls, meanwhile, have made so much progress in educational achievement that women are overrepresented in post-graduate education. But they still lag in the acquisition of bachelor's and graduate degrees in math and the sciences. It has been demonstrated time and again that young girls are more willing to ask and answer questions in classrooms without boys.

A 2008 Department of Education study found that "both principals and teachers believed that the main benefits of single-sex schooling are decreasing distractions to learning and improving student achievement." The gender slant — the math-is-for-boys, home-ec.-is-for-girls trope — is eliminated.

In a three-year study in the mid-2000s, researchers at Florida's Stetson University compared the performance of

single-gender and mixed-gender classes at an elementary school, controlling for the likes of class sizes, demographics and teacher training. When the children took the Florida Comprehensive Assessment Test (which measures achievement in math and literacy, for instance), the results were striking: only 59% of girls in mixed classes were scored as proficient, while 75% of girls in single-sex ones achieved proficiency. Similarly, 37% of boys in coeducational classes scored proficient, compared with 86% of boys in the all-boys classes.

Booker T. Washington High School in Memphis, Tenn., the winner of the 2011 Race to the Top High School Commencement Challenge, went to a 81.6% graduation rate in 2010 from a graduation rate of 55% in 2007. Among the changes at the school? Implementing all-girls and all-boys freshman academies.

In Dallas, the all-boys Barack Obama Leadership Academy opened its doors last

year. There is every reason to believe it will follow the success of the first all-girls public school, Irma Rangel Young Women's Leadership School, which started in 2004. Irma Rangel, which has been a Texas Education Agency Exemplary School since 2006, also took sixth place at the Dallas Independent School District's 30th Annual Mathematics Olympiad that year.

No one is arguing that single-sex education is the best option for every student. But it is preferable for some students and families, and no one has the right to deny them an option that may work best for a particular child. Attempts to eliminate single-sex education are equivalent to taking away students' and parents' choice about one of the most fundamentally important aspects of childhood and future indicators of success — a child's education.

America once dominated educational attainment among developed countries,



but we have fallen disastrously in international rankings. As we seek ways to offer the best education for all our children, in ways that are better tailored to their needs, it seems not just counterproductive but damaging to reduce the options. Single-sex education in public schools will continue to be a voluntary choice for students and their families. To limit or eliminate single-sex education is irresponsible. To take single-sex education away from students who stand to benefit is unforgivable.

Single-Sex Classrooms Under Fire

In 2006, the United States Department of Education eased restrictions on single-sex education in public schools as long as the programs meet certain criteria. In order to comply with Title IX federal regulations from 1972 (which prohibit sex discrimination in education), the single-sex programs must be voluntary and schools must offer a "substantially equal" coed option. Further, the separation of boys and girls must be "substantially related to the achievement of [important governmental] objectives." Six years later, many of these single-sex programs are under fire and are even being shut down under accusations that they are discriminatory and unbeneficial to students.

An estimated 500 to 1,000 public schools throughout the country have initiated single-sex classes or programs based on research saying boys' and girls' brains are physiologically different and, consequently, learn differently. Leonard Sax, M.D., Ph.D. runs the National Association for Single Sex Public Education, through which he trains teachers and advocates for single-sex education, helping them to apply research findings on substantial differences in the ways boys and girls learn. He encourages teachers not only to segregate boys and girls, but also to offer different lesson plans and to change details such as the type of lighting in classrooms to match the needs of each set of students.

Critics claim that Dr. Sax's research is based on "pseudo-science" and that, while some single-sex programs may appear to be effective, they are in violation of the Fourteenth Amendment's Equal Protection Clause. Opponents of single-sex education also argue that, in general, these programs are not actually educationally beneficial to students.

Studies concerning the efficacy of

single-sex education — whether seeming to tout its benefits or liabilities — are inconclusive. This is primarily because the programs are usually voluntary, which automatically adds an external factor into the evaluations.

Groups like the ACLU and the Feminist Majority have been trying to shut down programs throughout the country by pointing out ways in which the programs appear to violate the 2006 federal regulations. While agreeing that public education needs reform, Amy Katz, cooperating attorney with the ACLU Women's Rights Project, states: "Coeducation is not the problem, and separating kids to teach to sex stereotypes is certainly not the answer."

In late August, the ACLU of West Virginia helped a mother and her daughters sue Van Devender Middle School in Parkersburg, WV, alleging that her daughters had suffered discrimination through the school's use of single-sex classes. The mother claims that one of her daughters, who is legally blind, is unable to see well in the girls' classroom because the school is acting in accordance with research stating that girls learn better in more dimly-lit rooms. Another of her daughters has reported sex-based discrimination because she has attention deficit disorder and is often reprimanded for her inability to sit still in the girls' classroom, while boys in the classroom down the hall are encouraged to walk around the classroom.

During the last two years of single-sex classrooms, students at Van Devender have improved more on state tests than their peers at coed schools have. Further, both teachers and students have reported increased focus in the classroom, attributing the improvements to less pressure to impress the opposite sex.

Chief Judge Joseph Goodwin of the U.S. District Court for the Southern Dis-

trict of West Virginia ruled that the Van Devender program was not sufficiently voluntary and needed to be shut down. In the future, Goodwin ruled, in order for the program to comply with Title IX, the school would need to present parents with the choice to "opt in" to the program in writing, rather than the school's offering the single-sex program as the default option. Van Devender also would need to offer an equivalent coed option, which it did not at the time of the case. Goodwin did, however, indicate that he believes the school could reinstate its single-sex programs in the future: "The plaintiffs, in essence, take the position that no single-sex classes would ever withstand scrutiny under the Constitution or Title IX. The court finds this argument unpersuasive."

The ACLU has succeeded in shutting down a number of other single-sex programs. The organization is also running a campaign to "Teach Kids, Not Stereotypes," and pressuring the U.S. Department of Education to abolish their 2006 regulations.

Sarah Rogers, staff attorney with the ACLU, states that, "these programs foster stereotypes and hurt kids who don't fit the idea of how a stereotypical boy or girl is supposed to learn and behave." But proponents of single-sex classrooms claim that the single-sex education movement is about breaking down gender stereotypes not promoting them. In single-sex classrooms, students of both sexes are freed up from the intense peer pressure and gender stereotyping that most students experience. Sax's research has found that in single-sex classrooms girls are more likely to pursue math and science, and boys are more likely to act on an interest in the arts. According to Sax, "Ignoring gender differences doesn't make them go away; it exacerbates gender stereotypes."

Social Justice *(Continued from page 1)*

risk of suicide, homelessness, sexually transmitted diseases, and many other health risks than their straight peers and cis peers." Cis is a shortened version of the gender studies word, cisgender, which is a label for an individual who has a match between the gender they were assigned at birth and their self-perception. The description continues by stating that "this is not because LGBTQ sexual practices or lifestyles are fundamentally more dangerous than those of their straight peers, but because we have systematically left their lives out of the narrative."

Race

One offering in the area of race relations was "Cultural Cues for Working with African Americans." The presenter of this workshop served for four years as the Director of Equity and Race Relations for Seattle Public Schools. The conference also featured "Interrupting Oppression in the Classroom" which is "an approach to subverting the dominant paradigm by

changing the way mainstream American culture uses language." That session sought to "identify oppressive language and behavior in the classroom."

The session "Making A Mountain Out of a Molehill: Racial Microaggressions in Everyday Life" drew on the work of Columbia University professor Derald Wing Sue. Sue describes racial microaggressions as "the brief and everyday slights, insults, indignities, and denigrating messages sent to people of color by well-intentioned White people who are unaware of the hidden messages being communicated." (*Psychology Today*, 10-05-2010) Sue and his followers suggest that we *actually* should make a mountain out of a molehill, in this case.

As "educators who experience varying degrees of privilege," recognition of the ways "oppression affects the lives of students marginalized by race, class, language, gender, and sexual orientation" and "helping students to become agents of their own change" were the goals of

"Teacher as Ally, Teacher as Advocate."

Activism

Several workshops sought to encourage student political activism. "Rethinking Democracy & Organizing for Change" provided a "hands-on, interactive training [that] is designed to equip youth with the self-confidence, knowledge, and skills to understand how our democracy was hijacked, the authoritarian tendencies that obstruct democracy, the critical link between human rights and values that lie at the core of real democracy, and how to design and implement effective action plans to build a movement and change the world." The presenter of this workshop, Riki Ott, is co-founder and director of Ultimate Civics, which aims to work in schools encouraging students "to challenge corporate power and co-create the democracy we thought we had."



During the workshop "Web of Injustice," educators were presented with a unit encouraging students to write "a formal declaration using the Declaration of Independence and the Occupy Movement Declaration as mentor texts." The student would start with an injustice relevant to his or her "group" and then create a declaration based on a "web of injustices," whatever that may be.

To keep the ranks engaged and fortified, the social justice associations offered "Creating Local Teacher-to-Teacher Social Justice Networks" stating: "Many teachers who are passionate about social justice do not have a local network of likeminded teachers to rely on."

For the union-oriented educator there were the following workshops: "How to Build a Social Justice Caucus in Your Union," "Transforming Teacher Unions: How Can Unions Be a Force for Social Justice?" and "Revival of the Strike."

Virtual Schools *(Continued from page 1)*

criticized when it was revealed that his children were enrolled in a Pennsylvania virtual school from 2001-2004, while the family lived in the Washington, D.C. suburb of Leesburg, Virginia. Because Pennsylvania taxpayers funded his children's education while he served as that state's Senator but lived elsewhere, the Pennsylvania school district made an effort to recover \$100,000 from Sen. Santorum.

Teachers

Teachers who educate students online are paid less than their counterparts in traditional settings. Evidence suggests that some virtual teachers are swamped with students. High school teachers at K12-operated Agora Virtual Academy in Pennsylvania reportedly served as many as 270 students. (*NY Times*, 12-12-2011) Also, a whistleblower provided internal K12 documents to State Impact Florida and the Florida Center for Investigative Reporting that indicated teacher-to-student ratios are sometimes as high as 257:1.

Report card

Are virtual schools successful? The surprising answer is that nobody knows. The available information is limited, often flawed and sometimes misinterpreted.

A study by the National Education Policy Center, which is associated with the University of Colorado at Boulder, found that "only 27.4 percent of full-time virtual charter schools run by for-profit companies achieved adequate yearly progress under the federal No Child Left Behind Act in the 2010-11 school year, compared with 51.4 percent of brick-and-mortar charter schools." However, the report did not take into account the newness of the cyber schools or their swelling enrollment, both of which negatively impact testing; and cyber schools using some face-to-face component were lumped in with brick-and-mortar schools, further skewing results. (*Education Week*, 03-12-2012) Furthermore, the National Education Policy Center is partially funded by union monies from the National Education Association and others fundamentally opposed to school reform.

A Stanford University group, the Center for Research on Education Outcomes, which tracked students in eight virtual schools in Pennsylvania, and a Western Michigan University study of schools run by K12, both found virtual school students lagging behind their brick-and-mortar counterparts.

Responding to the *New York Times* (12-12-2011) profile of its practices and results, K12 representatives offered cogent reasons why students at its Agora Cyber Charter School failed to meet testing standards. K12 stated that "seventy percent of Agora's students are classified 'at risk,'"

and that "Agora is helping to address some of the state's most difficult educational challenges," challenges that many "students bring with them as a result of the failings of the schools they have left." This analysis applies to more than just the Agora schools because most virtual schools are new and growing quickly, and virtual schooling is frequently a student's "school of last resort."

Supporters of virtual classrooms often use a 2009 Department of Education study which shows virtual schools offered a slight advantage over traditional classroom instruction. Those results, however, were mainly focused on college students, and there is little supporting evidence for elementary or secondary students. Furthermore, the 2009 report looked at a blended program with a face-to-face component.

The players

Questionable relationships sometimes exist between profit-driven enterprises, commissions that supervise virtual schools, and the politicians who legislate their existence into being.

In discussions of the rationale and methodology for virtual charter school creation in states, the acronym "ALEC" surfaces repeatedly. What is ALEC? It is the American Legislative Exchange Council, which liberal journalist Bill Moyers

calls "the most influential corporate-funded political force you've never heard of." Moyers continues, "ALEC presents itself as a 'nonpartisan public-private partnership.' But behind that mantra lies a vast network of corporate lobbying and political action aimed to increase corporate profits at public expense without public knowledge."



ALEC has 200 legislative members, mainly Republicans. There are also corporate members, including K12, that pay from \$7,000 to \$25,000 a year to gain access to and work alongside the lawmakers. To be on ALEC's Education Task

Force, which created the template law called "The Virtual Public Schools Act," a corporation pays an additional \$2,500 a year. A founder of Connections Education, the second-largest virtual school corporate provider and a subsidiary of education publishing giant Pearson, was the co-chair of ALEC's Education Task Force until it exited mid-year in 2012, along with many other corporations, after widespread criticism of the body.

A report in the *Portland Press Herald* on September 2, 2012 details how ALEC influenced Maine education policy makers and the governor, and why virtual education has been put on hold in the state. In October of 2011, Maine's education commissioner, Stephen Bowen, travelled to San Francisco to attend a summit convened by Governor Jeb Bush's Foundation for Excellence in Education. The summit presented the "merits of full-time virtual public schools." Bush's Digital Learning Now! initiative receives funding from Connections Education and K12. At the summit Bowen met Bush's top education aide, veteran lobbyist Patricia Levesque, on whom he would come to rely heavily as he drafted specific education policy directives for Maine.

In February of 2012 Maine Governor Paul LePage issued an executive order calling on the Maine Department of Education to enact the "Ten Elements of High Quality Digital Learning," which were based

on the ALEC-created template, the "Ten Elements of High Quality Digital Learning."

Connections Education and K12 both applied to the Maine charter school commission for permission to start virtual schools in Maine. On June 6, 2012, the commissioners tabled both applications, "expressing concern both about the proposed schools' level of independence from the for-profit online education companies from which they would contract their services, and the all-volunteer commission's competence to evaluate their proposals in the time available." (*Portland Press Herald*, 9-2-2012)

In a further effort to become influential in Maine, "K12 contributed \$19,000 to the Republican Governors Association's Maine PAC, which made independent expenditures to help Governor LePage win election." (*Portland Press Herald*, 9-2-2012)

K12 currently operates or provides curricula to virtual public schools in all but 14 states. In partnership with ALEC, K12 will be trying to make it an even 50 in the near future.

The future

Balancing profit motives with corporate expertise, and ensuring that corporate and legislative cooperation does not descend into cronyism, are two of the challenges faced by those states attempting to create successful virtual schools. A Center for Public Education report concluded: "The bottom line is that in many cases we do not know how much it actually costs to provide virtual education, nor how many students the money is funding nor exactly how the money will be spent."

Add to this that there is often no clear measure of student success in virtual schools and it becomes clear that managing virtual education remains a challenge. While there are virtual schools that are successfully educating and serving the needs of students, oversight of their creation, operation, and funding must be strident. But this relatively new and burgeoning form of education offers the potential for states to save money, and for students and parents to exercise educational choice.