

# *The Public School Forum's Friday Report*

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## **Doubts about \$187 Million Give-Away Causing Second Thoughts about Calendar Bill**

While the proposed changes in the school calendar bill cleared the House Commerce committee Wednesday, a growing number of legislators are privately questioning the wisdom of giving \$187 million in salary dollars and 1.1 million work days away to win teacher support for the bill. The bill would eliminate 10 teacher work days but not lower the pay of the state's 107,000 teachers and other personnel affected by the legislation, especially in a year where many lawmakers are facing tough re-election battles.

The Raleigh *News & Observer* reported today that Republican House Speaker Richard Morgan's chief of staff said, "he [Morgan] is concerned about paying teachers for the 10 workdays the bill would cut." Morgan is not alone. Legislators facing tough opposition in primary races are increasingly concerned about defending a move that would essentially give teachers and other educators \$187 million in salary dollars for not working. Some are also concerned about a backlash from state employees who are just beginning to realize that teachers would work ten less days a year for the same pay, while state employees would continue to work twelve-month jobs with no less time off.

At best, candidates for office are going to have to justify paying educators the same pay for less work. At worst, North Carolina lawmakers may become a laughing stock with colleagues across the country who are wrestling with tight budgets and issues related to fiscal responsibility.

### **The Ten-Day Give-Away Is Not Even Necessary . . .**

Ironically, the changes being proposed are not necessary. As the examples below illustrate, schools could easily accommodate the proposed August 25 school opening and the June 10 school closing without eliminating the ten work days. Using school districts in the Triangle area, Moore County, and Dare County as examples, districts could simply shift their opening dates back to August 25 and wind-up the school year on June 10<sup>th</sup> and be left needing to find a few days during the school year to comply with the law. Those days could easily be found by shortening Christmas or Thanksgiving breaks.

This year, for instance, most schools were closed three days at Thanksgiving and two weeks between December 20<sup>th</sup> and January 2. Keeping school open on December 20, 21 and 22 would enable them to meet the requirement of offering 180 instructional days and relieve a great deal of pressure on working moms and dads who are required to work on those days. Students would still have over one-week vacation for the Christmas holidays.

## Calendar Options

School District	2004-05 Current Start	2004-05 Current End	Extra Days Needed to Get to <u>August 25</u>	Extra Days Needed to Get to <u>June 10</u>	Days Left to be found during the school year
Chatham County	August 9	May 23	12	14	2
Dare County	August 17	June 3	6	5	1
Durham Public Schools	August 10	May 25	11	14	3
Johnston County	August 9	May 25	12	12	0
Moore County	August 11	May 26	10	12	2
Orange County	August 10	May 27	11	10	1
Wake County	August 10	May 25	11	13	2

### Why the Give-Away?

Apparently, the only real reason for the elimination of the 10 days is a blatant, and successful, attempt to win the support of the North Carolina Association of Educators (NCAE), which, ironically, is the group that lobbied for more teacher work days under the banner of more time for paid professional development and planning.

The response from teacher members of NCAE to a question that essentially asked “Would you support giving up 10 teacher workdays if your pay remained the same?” was, not surprisingly, positive. On the strength of that response, NCAE leadership is supporting the bill that just cleared the Commerce committee.

### Winners & Losers?

The biggest potential winner is the tourism industry, which has been unsuccessfully lobbying for the school calendar bill change for years. This year the strategy has shifted to giving parents, supporters of the Save our Summers group, center stage; but representatives of the coastal tourism industry are not far behind in the wings and continue to aggressively call on elected officials and others from coastal communities to lobby the issue.

Other regions in the state, especially the mountains of western North Carolina, are also concerned about the potential negative impact to tourism in their area. However, the west has largely been silent on the issue.

Some claim that teachers and NCAE will be the big winners. However, others believe that, as teachers realize that they are expected to do the same work in ten fewer days, it will only be a matter of time before NCAE will be lobbying for additional days – paid, of course – for teacher planning. Future sessions of the General Assembly may well find themselves in the awkward position of paying twice for the same day of work.

## Winners & Losers (cont'd)

As for education, the impact of this legislation is less certain. Research that very clearly indicates that the longer vacation breaks are, the more learning will be lost has largely been ignored in the debate to date.

## It's Not Over Till It's Over

The Commerce Committee's favorable vote on this bill has kept the proposed calendar change bill alive. However, the bill must still clear a vote of the full House and gain committee approval and a vote of the full Senate. With doubts growing each day about the wisdom of passing a bill that could easily be labeled an election year give-away to teachers and to the tourism industry, the future of the proposed change remains very much in doubt.

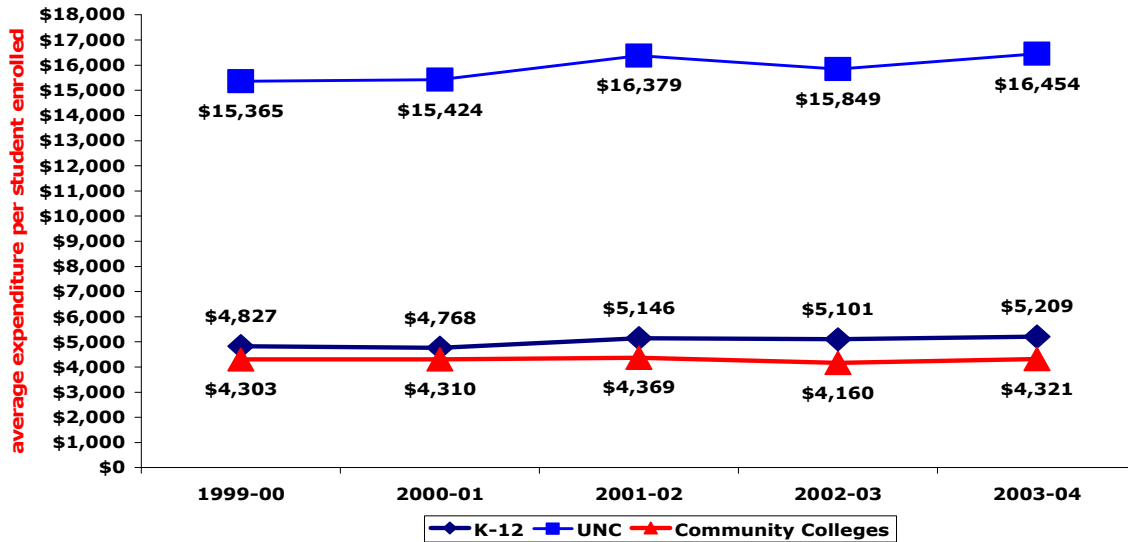
## *State News . . .*

### State Budget for K-12 Education Weakens

As House and Senate budget negotiators work to resolve their differences, it appears that the \$27.6 million local education agency discretionary reduction is back in the budget. This cut, coupled with the recurring \$44 million reduction, has been frequently cited in the *Friday Report* as burdensome to school systems, especially as districts face increased accountability requirements under No Child Left Behind. While education spending on public education, the UNC system, and the community college system continues to account for over half the budget, there is widespread expenditure disparity within the three systems. An analysis of General Fund expenditures for education in North Carolina shows that the UNC system receives approximately \$9,775 per student enrolled, the K-12 system receives \$4,494 per student, and the community college system receives \$3,429 per student enrolled. The disparities are more striking when revenue from the Highway Fund, Federal, and other funds are added to the General Fund (see chart). The UNC system receives over three times more per student than does the K-12 system.

## North Carolina State Budget Expenditures for Education Per Student Enrolled

(The UNC system spends **3.2 times more** per student than does K-12.)



2003-04 Enrollment: UNC=183,374, K-12=1,342,806, and Community Colleges=192,746

Source: the enrollment figures are based upon data from DPI, UNC, and the Community College system. The funding levels are from the Office of State Budget and Management's Post-Legislative Budget Summary reports, including the General Fund, the Highway Fund, Other, and Federal Funds.

## Gubernatorial Candidate Fern Shubert Shares CNN Billing with Michael Moore

Liberal documentary film maker Michael Moore, producer of *Fahrenheit 9/11* the anti-Bush documentary that broke opening weekend revenue records last week, and North Carolina State Senator Fern Shubert, a conservative candidate for the Governor's race in North Carolina, are an unlikely twosome. This Tuesday on a CNN segment called *Political Pop*, there they were sharing equal time in a discussion of how 9/11 is being used in political campaigns. Following a discussion of the symbolic power of 9/11 and the Michael Moore documentary, the focus shifted to a TV spot the Shubert campaign is using in the primary race. The advertisement shows actual footage of New York City's twin towers as they collapsed, but the copy is attacking Governor Easley for driver license policies that, according to Shubert, make it easy for "terrorists," among others, to obtain driving rights and identification papers in North Carolina. The entire ad, which ends with candidate Shubert talking into the camera, was aired.

Whether the national coverage will be a boost to the Shubert campaign or whether the candidate has received Andy Warhol's "fifteen minutes of fame" won't be known until July 20th. However, how many candidates can claim to have attracted CNN coverage in a primary race? By the way, the panelists concluded that the ad went a little over the edge when it came to using 9/11 for its symbolic value.

## School Boards Association Releases Voter Guide

The North Carolina School Boards Association has released a Voter's Guide for the Governor's race, Lieutenant Governor's race, State Treasurer's race, the State Superintendent of Public Instruction's race, North Carolina's 13 Congressional races, and the 170 state House and Senate races.

Candidates were asked 15 questions on topics, including school funding, vouchers, charter schools, school board taxing authority, a statewide bond referendum, lottery, testing, and teacher quality.

For more information, go to <http://www.ncsba.org/votersguide/candidates.html>

*National News . . .*

## NCLB Co-Sponsors Offer Flexibility Bill

Senator Ted Kennedy and Representative George Miller, the Democratic architects of the No Child Left Behind (NCLB) legislation, have proposed legislation ("No Child Left Behind Fairness Act") to override the US Department of Education's decision that recently enacted NCLB regulations would not be retroactively implemented (see June 18, 2004 *Friday Report*). In response to charges by Representative John Boehner, chairman of the House Education committee and the chief proponent of NCLB, and Rod Paige, Education Secretary, that their proposal is "misguided" and would eliminate many of the options that students in struggling schools have used; Kennedy and Miller have stressed that their legislative proposal would not deny children receiving choice options and supplemental services.

Representative Miller notes that the proposed legislation will allow schools to use regulations approved by the Department to analyze their 2002-03 test data. "In effect, the department is admitting that it is going to continue to judge schools by a standard that it no longer believes is fair," Kennedy and Miller said in a joint statement. Supporting the legislation are teacher organizations, the Council of Chief State School Officers, and Education Trust, one of the chief proponents of the legislation. "It is hard to understand why it took the U.S. Department of Education so long to develop and implement these rules. It is even harder to understand why the Department refuses to allow their application to last year's results," says Ross Wiener, Policy Director for The Education Trust.

For a copy of the legislation, go to <http://thomas.loc.gov/> and enter "HR 4605"

## Colorado Supreme Court Declares Voucher Program Unconstitutional

In a 4-3 decision, the Colorado Supreme court upheld a district court ruling that locally raised tax money can't be used to pay for private education. The decision affirmed the district court ruling that the state's voucher program is unconstitutional because it takes away local control from school boards.

In April 2003, the Colorado legislature enacted the Colorado Opportunity Contract Pilot that was signed into law by Governor Bill Owens (see April 11, 2003 *Friday Report*). The law would allow low-income families that attend the state's lowest performing schools to qualify for a \$4,100 school voucher. This voucher could be used by parents to send their children to a private institution, including parochial schools. The program was scheduled to begin in 11 school districts this fall.

Denver District Judge Joseph E. Meyer III, ruled in, December 2003 that the law takes away local school boards' control over instruction. In the Supreme Court ruling, Justice Michael Bender writes, "statewide system of school finance is designed to preserve local control over locally raised tax revenues."

Justice Rebecca Kourlis, who wrote the court's dissenting opinion, includes in her text, "the school district loses no control whatsoever over the education provided in its public schools, but merely loses some revenues that it would otherwise have." Dan Hopkins, spokesperson for Governor Owens, commented, "The issue can be resolved next year by the legislature clearly allocating state funds instead of local funds.

*Forum News . . .*

### Forum Office Closed

The Forum office will be closed Monday, July 5, in observance of Independence Day. It will reopen on Tuesday.

Have a wonderful and safe July 4<sup>th</sup>.

For more information about July 4, go to [http://www.census.gov/Press-Release/www/releases/archives/facts\\_for\\_features\\_special\\_editions/001798.html](http://www.census.gov/Press-Release/www/releases/archives/facts_for_features_special_editions/001798.html)

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