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I will tell you at the outset that I was not happy to be assigned this paper. I talked to Mick ...I know that doesn't work ... but I suggested to him that I would like to do a humorous paper. Well. I was assigned AMERICAN LEGISLATIVE EXCHANGE COUNCIL AND IT'S AFFECT ON INDIANA EDUCATION.

I had never heard of ALEC ... the only Alec I knew was my uncle in Chicago .. When I got into the research for the paper though, it was a different story ... this paper opened my eyes to a new world of politics and influence. For that I am grateful to Jean Lewis for proposing the paper and the Program committee for assigning it to me. Thanks also to Senator Dennis Kruse, Chairman of the Indiana Senate Education Committee. for meeting with me and for sharing thoughts and views on Indiana education. Thank you Charlie Belch who showed such

interest in the paper and for helping to arrange my meeting with Tony Wedly from Glenda Ritz's office. Also, Karen Francisco from Fort Wayne Newspapers, who spent a very pleasant hour with me and provided me with very valuable documentary material which I found very helpful for this paper. Thank you, Mark GiaQuinta for pointing me in the direction of Karen Francisco and to some very eye opening internet videos so relevant to this paper and to Laurie Gray who also spent time with me while sharing her knowledge of the subject and thanks to Adie Baach and Liz Toole for excellent suggestions in the composition of the paper. And finally but never last, Thanks to my wife, Sharon for your excellent proof reading and editing. Without your enthusiastic help the paper would take two days to present.

So, the topic is education and the main player is ALEC. Other players are PBS, Tony Bennett, and I don't mean the crooner, Trayvon Martin, and even the actress, Betty Davis, if only to quote her: "Fasten your seatbelts, we're in for a bumpy ride." ALEC cannot be mentioned without reference to the Koch brothers.

Who or what is THE AMERICAN LEGISLATIVE EXCHANGE COUNCIL? ALEC, as it is known, is a national organization of mostly Republican legislators and large mega rich corporations. The scope of ALEC's interests and influence is vast. Imagine if you will, a giant octopus, a genetically modified one, with many, many tentacles that reach out in a powerful and influential manner. . ALEC propagates a wide range of "model legislation" in almost every area of American life, not just in Education. ALEC "task forces" are responsible for drafting bills which include,

Civil Justice;

Commerce, Insurance and Economic Development,

Communications and Technology Education;

Energy, Environment, and agriculture,

Health and Human Services,

International Relations,

Justice Performance Project and Tax and Fiscal Policy.

Rejecting gun controls and

Education with which this paper is concerned.

All of us have a critical interest education of our children and grandchildren who are required by law to attend some kind of schooling.

What is the obligation of the state: The Constitution of the State of Indiana speaks to that.

Article 8, Section 1 of the Indiana Constitution provides:

“Knowledge and learning general diffused throughout a community, being essential to the preservation of a free government, it should be the duty of the General Assembly to encourage, by all suitable means, moral, intellectual scientific, and agricultural improvement: and provide, by law, for a general and uniform system of Common Schools, wherein tuition shall be without charge, and equally open to all.”

The Indiana Supreme Court has held in considering Article 8 that by the article’s own terms, the article does not speak in terms of a right or entitlement to education. To the extent that an individual student may have a right, entitlement, or privilege to pursue public education, any

such right derives from the enactments of the General Assembly, not from the Indiana Constitution. or through the courts.”

Under Article 8, public schools in all corners of Indiana were established as the centerpiece of every community. Until about 1980 America’s public schools and teachers were iconic everyday heroes respected because they provided a place and educators who helped kids to learn to read, write and successfully join society.

Since then, a strange thing happened: We’re now told, relentlessly, that bad-apple schoolteachers have wrecked K-12 education; that their unions keep legions of incompetent educators in classrooms; that part of the solution is more private charter schools; and that teachers as well as entire schools lack accountability, which can best be remedied by more and more standardized testing. Did public schools become so unredeemable?

Apparently Milton Friedman, called the high priest of laissez-faire economics, thought so when he partnered with PBS to produce a ten-part television series called “Free to Choose”. He devoted one episode

to the idea of school vouchers, a plan to allow families to get publicly funded scholarships so their children could leave public schools and attend private ones. You could make an argument that the current campaign against public schools and the rush to voucher and Charter schools started with that single TV episode.

Johathan Kozol, the author and tireless advocate for public schools, called vouchers, “the single worst and most dangerous idea to have entered education discourse in my adult life.”

Armed with Friedman’s ideas, President Reagan began calling for vouchers. In 1983 his National Commission on Excellence in Education issued “A Nation At Risk.” a report that declared, “the educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a Nation and a people. So strong was the feeling that President Reagan added: “If an unfriendly foreign power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war.” “A Nation At Risk” became a timely cudgel for the

larger privatization movement. With Reagan and Friedman, the Noble-Prize winning economist, preaching that salvation would come once most government services were turned over to private entrepreneurs, the privatizers began proselytizing to get government out of everything from the post office, prisons, toll roads, Social Security and the public schools. Corporations recognized privatization as a euphemism for profits. “Our schools are failing” became the slogan for those who wanted public-treasury vouchers to move money into private charter schools. This cry continue today. Very loudly in Indiana!

In 2001, less than a year into the presidency of George W. Bush, the federal government enacted sweeping legislation called “No Child Left Behind.” Supporters described it as a new era of accountability based on standardized testing. The act tied federal funding for public schools to student scores on standardized tests. It also guaranteed millions in profits to corporations such as Pearson PLC, the curriculum and testing juggernaut, which made more than one billion dollars in 2012 selling text books and bubble tests.

Since 2001 and No Child Left Behind, the focus of education policy makers and corporate-funded reformers has been to insist on more testing-more ways to quantify and measure the kind of education our children are getting, as well as more ways to purportedly quantify and measure the effectiveness of teachers and schools.

Look closely-you'll recognize the formula: Under fund schools. overcrowd classrooms, mandate standardized tests sold by private-sector firms that "prove" these schools are failures. Blame teachers and their unions for awful test scores. Push nonunion, profit-oriented charter schools and voucher schools as a solution.

Chris Hedges, the former New York Times correspondent, said in 2012 that the federal government spends some \$600 billion dollars a year on education and the corporations want the money. And that's what's happening. And it comes through charter schools. It comes through standardized testing. And it comes through breaking teachers' unions. Is it rocket science to understand that taking money, millions, from the public schools will somehow improve them?



ALEC figures prominently in this effort to demonize public education in favor of privatization and advancing Charter schools and voucher schools. It's hard to tell from the description of ALEC by ALEC: I quote: "ALEC is a 501 (c) (3) educational non-profit corporation. It provides a constructive forum for state legislators and private sector leaders and corporations, to discuss and exchange practical, state-level public policy issues and potential solutions. ALEC focus is on free markets, limited government and constitutional division of powers between the federal and state governments." Close quote. It says it respects diversity of thought. They say they are a non-partisan resource for their members, which include more than 2,000 Republican and Democratic state legislators.

In describing ALEC's Formula or Success, ALEC says, I quote: "For more than 35 years, ALEC has been the ideal means of creating and delivering public policy ideas aimed at protecting and expanding our free society. Literally hundreds of dedicated ALEC members have worked together to create, develop introduce and guide to enactment many of the

policies that have now become the law in the states. Since its founding, ALEC has amassed an unmatched record of achieving ground-breaking changes in public policy, in limiting government, in providing parents with school choices and policies such as teacher competency testing, pension reform which represent just a handful of ALEC victories in the states.” Close quote.

Note that this definition does not mention the many super rich Corporations who pay big bucks to join ALEC nor of it’s financial supporters.”

The Center for Media and Democracy has a website: “ALEC Exposed,” easily found on the internet. It has a different definition. It describes ALEC as a powerful corporate lobbying group masquerading as an educational charity. ALEC was founded by multibillion-dollar corporations in 1973 and might be best described as a “corporate bill mill” that helps conservative state legislators become vessels for advancing special interest legislation. The public and press are barred from ALEC meetings, where legislators are “educated” on the ALEC philosophy and goals and where corporate representatives and

legislators sit at the same table at fancy resorts and expensive hotels to consider model bills that advance corporate interests and platforms while the legislator members are wined and dined by lobbyists. A whole menu of family activities are provided when whole families attend these sessions. Legislators are granted “Scholarships” to attend these sessions which are expensed by ALEC under its 501 (c) (3) status. ALEC has gone so far as to draft agreements for its legislative members requiring them to put the interests of the ALEC corporation members first. The effect is that the corporations are writing the bills which are then presented to the legislature by the elected official with no mention, of course, of the corporate influence which may well have written the bill and voted upon it for introduction as the legislators bill in the legislative sessions. The former governor of Wisconsin, Tommy Thompson has said ...”I go to the ALEC conventions and come back with legislation proposed by the corporations, tweak it a bit and then introduce it as my own work.” By the time legislators return to their states, armed with talking points and convinced of the righteousness of the ALEC cause, they become super lobbyists for the special interest agenda. ALEC is active in every State although Indiana is one of only three states that provide ALEC an exempt status as lobbyists. What becomes of the interests of the people in this process?

Let’s not forget the Koch brothers. Charles and David Koch often pursue

parallel tracks with ALEC. For a mere \$25,000. a year paid as dues to ALEC as well as significant other financial assistance and even loans to ALEC, Koch Industries sits as an “equal” board member with state legislators, influencing bills that serve as a wish list for its financial or ideological interests. Koch Industries has been one of the select members of ALEC’s corporate board for almost 20 years. Long before ALEC started pushing taxpayer-subsidized school vouchers, the Koch fortune was already underwriting attacks on public education. David Koch helped inject the idea of privatizing public schools into the national debate as a candidate for vice president in 1980 on the United States Libertarian Party sharing the ticket with Ed Clark who was running as President. How did that work out? Several pieces of ALEC’s model legislation echo the Koch plan. One of the Koch brothers described that what the brothers brought to ALEC was the “Golden Rule” .... “Whoever has the gold rules.” The Koch’s mistrust of public education can be traced to their father, Fred, who ranted and raved that the National Education Association was a communist group and public school books were filled with “communist propaganda”. That President Eisenhower and the United States Supreme Court were “pro communist.”

In ALEC’s education effort, ALEC says that public schools “meet all of the needs of all of the people without pleasing anyone.” A better system the

organization argued, would “foster educational freedom and quality” through various forms of privatization: vouchers, tax incentives for sending children to private schools and unregulated private Charter Schools. ALEC calls this “choice” and vouchers “Scholarships” but it really amounts to an ideological mission to defund and redesign public schools.

What affect has ALEC had on the educational system in Indiana? During the 2011-2012 Indiana legislative session, former Indiana Schools Superintendent, Tony Bennett and former Governor Mitch Daniels created the country’s largest school voucher program, enacted rigid teacher evaluation requirement, and imposed school grading systems, in many cases using “model legislation” provided by ALEC to Indiana as well as to other states. Bennett was featured on “Education Reform Idol” a campy takeoff of “American Idol” organized by the Thomas B. Fordham Institute, an ALEC member, and a think tank that has worked closely with ALEC on education issues. Tony Bennett had become the darling of ALEC and the education reform movement. At the “Education Reform Idol” meeting, Bennett boasted about his success in getting the Indiana Education Reform Bill passed. “ I’m not going to be self deprecating here. I feel like Larry Bird at a three-point shooting contest ... who walked into the locker room and said ... ‘I’m here to see who is going to finish second.’ ” He was right. At the conclusion of the event, the

Fordham Institute approvingly named Indiana “the Reformiest State of 2011’ when the REFORM PACKAGE had become law. Bennett also delivered the keynote address at the 2012 conference of the American Federation for Children which is also an ALEC member. The Indiana act incorporated several of the key reforms passed by the legislatures similar to the existing ALEC model legislation proposed and passed in other states. The method of passing legislation might be described as a kind of fill in the blanks or paint by numbers form of legislation.

Has the law been effective? ALEC must think so. In the April 15<sup>th</sup> edition of the Journal Gazette, the Metro section article written by Jamie Duffy of the Gazette, carried the headline: SCHOOL VOUCHER NUMBERS SOARING ... and that the report from the Indiana Department of Educations reveals that public districts are taking a sizeable financial hit. The article goes on to say that Indiana’s school voucher program has grown since its inception from 3, 911 students in 2011 to 32,686 this school year, while public school enrollment has dropped by more than 8,.000 according to a report issued by the Indiana Department of Education. In Allen County there are 6,098 students in the school choice program. For Fort Wayne Community Schools, where enrollment is about 30,000 there are nearly 5,000 voucher students according to the report. In 2011 that number was 394. For this year, the state has calculated voucher hits for the four Allen County School

districts costing the Fort Wayne Community Schools 19 million dollars, East Allen County Schools, three million dollars, Southwest Allen County Schools \$710,000, and Northwest Allen County Schools, \$674,000. State investment in the voucher program has gone from about 16 million dollars in 2011 to nearly 113 million dollars for the 2014-2015 school year. Total voucher amounts for 2015-2016 will be available in June. Most of the voucher schools in Allen County are religious schools. There are three Charter Schools in Fort Wayne, Timothy L. Johnson Academy, Thurgood Marshall Leadership Academy and Smiths Academy for Excellence. A new parochial school: Our Lady of Good Hope School will open for the 2016-2017 academic year. The school will accept vouchers. State funded vouchers are a significant source of revenue in meeting operating expenses the newly hired principal said.

The question proposed in my paper: "ALEC's affect on education in Indiana." Indiana ranks first and best in the nation for education policy according to ALEC. ALEC's "Report Card on American Education," released in 2015 touts Indiana's growing voucher system for tens of thousands of students to use public dollars to attend private schools. Cited were the even larger number of students who choose charter schools. Also included was a plug for two past pet legislative projects: a focus on career and technical education, and a statewide program to

provide pre-Kindergarten vouchers to low income students. Indiana aced the measure on education policy that Republicans tend to favor: ample room for home schooling, strong charter school laws and strong voucher or “choice” programs. But it received a “C” minus for state academic standards, a B-for teacher quality and policies and a C for digital learning.

Still, it all crunched out to an overall B+ matching Indiana’s grade from ALEC for the previous year which was the highest overall grade compared to every other state in the country.

The Network for Public Education has prepared a 50 state Report Card for 2016. The Network believes that public education is a pillar of our democratic society. It believes that public schools can serve all students well, inspire their intrinsic motivation, and prepare them to make responsible choices for themselves and for our society. In public schools doors are open to all, regardless of race, religion, gender, ethnicity or disability status. Educating children is a civic responsibility, not a consumer good. It is important to identify states that have weakened public education by seeking to privatize their schools or turn them into profit-making ventures as well as states that have aggressively instituted a regime of high stakes testing that unfairly sorts, ranks and demoralizes students, educators and schools. Unlike the other organization such as ALEC whose report cards rank states



in relation to their willingness to privatize public education which the Network believes weakens the status of the teaching profession, The Network for Public Education grades the 50 states that devalue public education, attacks teachers and place high states outcomes on standardized testing. The Network evaluated states on six criteria aligned with the Networks values, laws, policies and practices all of which are fully explained in the 50 State Report Card. I have provided copies of this report which you will find on the table where you sign in. The criteria and the marks for Indiana:

The six letter grades range from A to F.

No High Stakes, Testing, Indiana received a D

Professionalization of Teaching, Indiana received an F

Resistance to Privatization, Indiana received an F

School Finance, Indiana received a B

Spend Taxpayer Resources Wisely, Indiana received an F

and Chance for Success Indiana received a D

No state received an overall grade of A or B using the Networks criteria in 2016.

Diane Ravich. a former assistant secretary of education under George H.W. Bush, who has written a number of books on education and who now advocates on

behalf of public education, says wealthy foundations, no matter how worthy and high minded, are after all, not public agencies. They are not subject to public oversight or review . They have taken it upon themselves to reform public education perhaps in ways that would never survive the scrutiny of voters in any district or state. They are bastions of unaccountable power.” She continues: “There’s no evidence that any of these changes will improve education for kids, though they are sure to show a tidy profit for entrepreneurs. A lot of money will be directed to the people behind these schemes. Lots of people on Wall Street are cheering for the new education industry. It has great returns for investors on the taxpayers dime. Not so much if you really care about children or education or the future of our society, she says.

ALEC had been acting in secret and without publicity and was little known to ordinary voting Americans. Then a black teenager named Trayvon Martin was killed by a man who said he was defending himself in accordance with Florida’s “Stand your ground” law. which was based on model legislation written by ALEC. Until then, ALEC stayed out of the public eye with secret meetings with rigid membership requirements and security personnel assuring only certified members entered conference rooms where ALEC meeting were held. *The Guardian* newspaper reported that “ the controversial group, ALEC, which has been called a

“corporate-funded dating service for special interests and state legislators” is in crisis mode, since at least 40 of their corporate members, and dozens of their legislative members, have fled the group since their connection to state ‘stand your ground’ laws was exposed in the Trayvon Martin case. ALEC has even launched an effort, dubbed “the Prodigal Son Project” to win back the founders and members who have rejected them. But even the glare of a national scandal can’t break up ALEC and its allies in the Hoosier state. While most states have seen a decline in legislators joining ALEC, in Indiana they’ve actually experienced an upswing in memberships.

Bill Moyers, the PBS icon says in the PBS program “The United States of ALEC” that ALEC has worked for years, pushing changes state by state that could never have been achieved if they had been put to the test of open and broad popular support. ALEC has been so successful working its will behind closed doors in secret, that most Americans had never heard of it until recently” Moyers says ALEC had never even been subjected to scrutiny on national television until the documentary report the broadcast on PBS The program revealed their investigations which tracked the intersection between money and politics and finding ALEC squarely in the middle of it all across the country. An updated report expanded and has been updated on “The United States of ALEC” which you can easily find on U-

Tube, ALEC.

The revelations of the influence ALEC has had seems to have little or no affect on the continued promotion of Charter and Voucher schools in Indiana. A new parochial school; Our Lady of Good Hope School will open for the 2016-2017 academic year. The school will accept vouchers. State-funded vouchers are a significant source of revenue in meeting operating expenses the newly hired principal said.

The public is only dimly aware of the reform movement's privatization agenda. The deceptive rhetoric of the privatization movement masks its underlying goal to replace public education with a system in which public funds are withdrawn from public oversight to subsidize privately managed charter schools, voucher schools, online academies, for profit-schools, and other private vendors."

Scores of newspaper articles and Letters to the Editors in our local papers are vocal about the current education system in Indiana, the teacher shortage and proliferation of Charter and Voucher schools. One of the best I read is by Scott Hanni, a teacher at Lynley Elementary School in his News Sentinel letter of March 15<sup>th</sup>. His frustration came as a result of talking to a friend and colleague who was upset about his pre-school daughters excessive homework and her dislike for school. His own 7 year old daughter was disliking school for the same reason.

He says: “ Please understand that all of the high stakes testing, school letter grades, vouchers and holding us lazy teachers more accountable have not improved education in Indiana. What Indiana Republicans have done is lead us to wasting of millions of tax dollars on failed computerized testing, an unfair, racist school grading system constitution-breaking distribution of tax dollars to parochial schools and to the teacher shortage. But now, Indiana Republicans can proudly add causing our youngest students to hate school to their list of educational accomplishments.”

Bill Moyers’ words in the PBS program “The United States of ALEC” provides a thoughtful conclusion to this paper. “ No matter how many Hollywood movies the corporate reformers produce, no matter how many television specials sing the glories of privatization, no matter how often the reformers belittle the public schools and their teachers, the public is not yet ready to relinquish its public schools to speculators, entrepreneurs, ideologues, snake-oil salesman, profit-making business and Wall Street hedge fund managers.”

THANK YOU

QUEST PAPER, ALEC ...

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