

Education Matters

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Teachers gather outside the U.S. Supreme Court building to show their support for educators' freedom from union coercion of dollars for politics.

Supreme Court Hears Union Coercion Case

What I observed during my day in court

By Cindy Omlin



I was privileged to join nearly forty teachers at the U.S. Supreme Court, including numerous members of AAE affiliate Northwest Professional Educators.

On January 10, we heard the oral arguments in *Washington v. Washington Education Association*—a pivotal case affecting thousands of teachers in Washington State. At issue is whether a union's First Amendment rights trump the constitutional rights of free speech for nonunion teachers who are required to pay collective bargaining fees as a condition of employment. No other entity in the United States is allowed to force individuals to support its politics as a condition of employment!

The teacher union wants to use the non-union teachers' collective bargaining fees

for politics unless they “opt-out” by sending in an objection letter every year. We believe that Washington's law, requiring nonunion teachers to “opt in” for union politics, better protects their free speech not to pay for politics they do not support. We want the Court to uphold Washington's law as constitutional.

In the Supreme Court

It was a remarkable experience to see teachers from across the country willing to interrupt their busy schedules and travel thousands of miles to put a professional educator's face on an issue so fundamental to our rights as American citizens. They wanted to remind the Court that teachers do not lose their constitutional rights at the schoolhouse door!

Because the seating in the Court is very limited, teachers began lining up in the dark at 5:00 a.m. in windy, subfreezing temperatures to guarantee they would be present for the oral arguments. The attorneys arguing before the justices stood at a podium just a few feet away from Chief Justice John Roberts, and, because the Courtroom is actually quite small, we had excellent views of the justices.

Washington State Attorney General Rob McKenna and the U.S. Solicitor General Paul Clement did a terrific job arguing in favor of the First Amendment right of nonunion teachers. The justices clearly did not buy the WEA attorney's arguments, and Justice Kennedy even chastised him for acting as if the First Amendment rights of nonunion teach-

ers did not matter. Attorney General McKenna argued (and the justices were sympathetic to his views) that nonunion teachers have already opted out of union membership. They should not have to tell the union “No” again in order to protect their mandatory bargaining fees from being spent on union politics.

U.S. Solicitor General Paul Clement, who also argued in support of nonunion teachers’ free speech rights, asserted that the “opt-in” statute “does not limit the union’s ability to spend its own money on political causes,” so it does not infringe on the union’s free speech rights.

All the justices were clearly in favor of protecting the individual teacher’s freedom of speech. Justice Scalia reminded the union attorney that the fees the union had collected was government-coerced money and that the dollars in question are the teachers’ money, not the unions. Justice Souter reminded the union attorney that states have the right to provide additional protections for constitutional rights than the minimum that the Supreme Court has established.

Justice Alito had no patience for the union’s argument that one cannot assume

that nonunion teachers do not want to fund the union’s politics. He asked, “Why should the First Amendment permit anything other than an opt-in scheme?” Numerous times, Justice Alito was incred-

It is well worth reading the transcript of the proceeding to see the justices’ pointed comments and questions. The transcript is at http://www.supremecourtus.gov/oral_arguments/argument_transcripts/05-1589.pdf.

ulous at the union’s assertion that nonunion teachers would want to pay for the union’s politics. “What would be the thinking of such a person?” said Alito. “Why would I choose to give up the benefits of union membership and yet want to allow the union to spend my money for its political purposes?” (Alito’s wife has been a public school employee in New Jersey, so he has some knowledge of teachers’ thinking.)

Afterwards, teachers quietly lined up on the sidewalk under blue, sunny skies with signs that proclaimed “Free Speech for All Workers” and “No forced dues for politics.” I spoke with a reporter from *Politico* and made a statement to the press on

behalf of the members of Northwest Professional Educators. There was a sense of exuberance at how well the oral arguments had gone. The justices’ revealed an obvious concern for how this case affects real people. Their questions and comments made us feel as if they really understood how unfair the union’s practices are.

This case presents an opportunity for the justices to update the Court’s labor doctrine that, until now, has favored government-coerced union power at the expense of the individual rights of employees. A decision by the Court is expected by June. ■



Cindy Omlin is the Executive Director of Northwest Professional Educators. Its website is www.nwpe.org.

Proud to Be an American

by Angie Dorman

I had the opportunity to listen to oral arguments in front of the U.S. Supreme Court (see story, page 1). From the moment I began walking up the marble steps into the building, I felt the weight of our nation’s judicial history.

As I sat down, I was struck by the fact that I was in the room where so much history had been made. The Miranda case, *Brown v. The Board of Education*, all decisions that affect our lives everyday. Just sitting in that room where so much history has been made, at times was almost overwhelming. When we were called to stand and the justices entered the room, it registered that this is a place where history has been made, and is being made on a regular basis.

I knew legally what to expect: each side’s attorneys present their case and, at any time, the justices may stop them and ask questions regarding the facts and the constitutionality of the case. What I did not anticipate was the way the justices’ questions were so oriented toward the effect their legal decision will have on the average person. Their questions to lawyers were very heartfelt and genuine. I was impressed that these nine esteemed justices were concerned about us, the people. Regardless of the



politics of the President who nominated them, every one of the justices spoke with you and me in mind.


As a teacher and as a citizen, I will forever look at the texts of Supreme Court arguments in a different way. The text may be in cold black and white, but the spirit of the Court is not. The spirit of the Court is with the people of this nation. That Tuesday morning January 10, 2007, I saw my government in action and it made me proud to be an American. No nation will ever be perfect, but my visit to

the Supreme Court gave me hope that above and beyond the politicians, lawyers, spin-doctors, and media talking heads, there are powerful people who truly care about us. I nearly froze that morning as I waited three hours to enter the court, but it was worth every shivering second to witness the warmth and concern I saw in the hearts of the Justices. ■

Angie Dorman is a member of Northwest Professional Educators, an AAE affiliate. She teaches history at Warden High School in Warden, Washington, and is the recipient of the U.S. Department of Education’s 2006 American Star of Teaching award.

Whole-language Wolves in Sheep's Clothing

Primary reading programs aren't always what they claim

 mid ongoing debate about the federal Reading First program, a new report from the Thomas B. Fordham Institute exposes ineffective reading programs that dishonestly claim to be “scientifically based” and thereby qualify for millions of dollars in public funds intended to help struggling children learn to read.

In the report *Whole-Language High Jinks*, reading expert Louisa Moats offers advice for school officials, parents, and teachers about how to spot the fakes and identify programs that truly work.

“If this were medicine, the FDA would never approve these reading nostrums as ‘safe and effective,’” commented Fordham Institute president Chester E. Finn, Jr. “Tort lawyers would be bringing class action suits against their vendors. The papers would be full of allegations of fraud, misrepresentation, and actual harm done by them. Education, alas, is not nearly so rigorous. Yet with the futures of countless schoolchildren at stake (not to mention lots of money), school districts would be wise not to take claims about programs’ research evidence at face value. Dr. Moats performs a valuable service by helping consumers detect the phonies.”

Whole Language Lives On

Moats, a psychologist and widely respected authority on early reading, authored a previous Fordham report in October 2000 called *Whole Language Lives On*. In it, she uncovered many whole-language programs hiding behind the phrase “balanced literacy” in order to win con-

tracts from school districts and avoid public scrutiny.

Seven years later, such programs still exist—and still try to pull the wool over educators’ eyes. Worse, major school systems, including Denver, Salt Lake City, and New York City, continue to adopt them, misled by materials that “talk the talk,” touting the five elements of effective reading instruction identified by the National Reading Panel, but that are actually just whole-language programs in disguise.

“The failures of whole language are many—especially for the two-fifths of children who are at risk of reading failure

right out of the gate,” notes Moats.

Spotting Whole Language

To ensure that a program isn’t just offering platitudes, she offers a useful list of warning signs to help educators spot whole-language wolves disguised as lambs. Some key indicators that the program isn’t as “scientifically based” as it promises:

- Use of memorization and contextual guessing, instead of direct, systematic teaching for word recognition and actual comprehension;
- Rejection of explicit phonics, spelling, or grammar instruction;
- Application of the whole-language principles for English language learners.

To ensure that a reading program is based on scientific evidence of effectiveness, administrators and teachers should ask a series of probing questions about it.

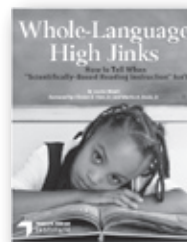


For example, does the program:

- Have valid screening measures in place to identify children at risk and provide them with early/extra instruction in word recognition, comprehension, and writing skills?
- Interweave multiple language components (such as speech sounds, word structure, word meaning, and sentence structure) together in the same lesson?
- Support reading comprehension by focusing on a deep understanding of topics and themes rather than developing a set of shortcut strategies?

“This report’s findings help to explain why the federal government has to be prescriptive in its implementation of Reading First,” said Michael J. Petrilli, Fordham’s Vice President for National Programs and Policy. “Anyone can put the label ‘scientifically based’ on the cover of their reading program. But if we want to do right by kids, we need to dig below the surface. If the policy is to fund only programs that truly work, officials at all levels need to fend off the charlatans.” ■

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The full report can be found the Thomas B. Fordham Institute, www.edexcellence.net

Building on Student Success

Atlanta charter school sees outstanding results

By Dr. Holly A. Robinson

In just its second year of operation as the Atlanta Public Schools (APS) system's newest charter high school, Tech High School's scores in state end-of-course tests continue to demonstrate outstanding progress in student achievement. On the Algebra I end-of-course test, Tech High had the highest score in APS.

Two years ago, Tech High was still an untested idea. The bold assumption was that an urban charter high school in Atlanta, Georgia, could break the long history of academic failure in our nation's inner cities. The vision was to create a small school, focused on high expectations, great teaching, and excellent leadership. Tech High's motto was "No Excuses."

Tech High would focus on preparing students for careers and for higher education to meet the demands of a more technical and global economy. The critical need to develop talent in science, math, and technology is a central element in that focus. Careers of tomorrow will require that more students succeed at the highest level of university preparation in both applied and theoretical mathematics and science.

Strong Results

In just its first year, Tech High's test scores placed it first in both Algebra I and Geometry and second in Literature in the Atlanta Public Schools system. Just as importantly, there were numerous anecdotal examples of where Tech High had turned around many lives.

As Tech High begins its third year, its second year's efforts not only placed it in first place in the APS school system but also put it well on its way to its goal of being in the top 10 percent of high schools in the state.

Tech High's academic progress came through hard work, not through a selective process. As a charter school, Tech High accepts all students on a first-come first-served basis. In fact, we have a higher percentage of minority and low-income students than the Atlanta school system's averages. Many of its students arrive woefully unprepared in basic math and reading skills.

Notwithstanding the academic disadvantages of Tech High's incoming students, its goal is to rank among the best public high schools in Georgia. This is a challenge, but they have made tremen-

dous progress in just two years. Tech High is clearly proving that high student achievement can be attained in this urban environment. For example:

- Tech High was one of four out of seventeen Atlanta high schools that met the Adequate Yearly Progress (AYP) federal standard set by the No Child Left Behind Law in 2005-2006. (Washington High School, Southside High School and North Atlanta High School also made AYP.)
- In this year's Algebra I end-of-course test, Tech High was highest in APS and ranked in the 51st percentile statewide, up from the 19th percentile last year. (Excluding middle schools, Tech High ranked in the 81st percentile statewide.)
- In this year's 9th Grade Literature and Composition end-of-course test, Tech High was second highest in APS (just behind Grady High School) and 102 out of 384 schools statewide. This puts Tech high in the 73rd percentile, up from the 62nd percentile last year.
- In all five subjects tested, Tech High ranked at or above the state average.

Key Factors

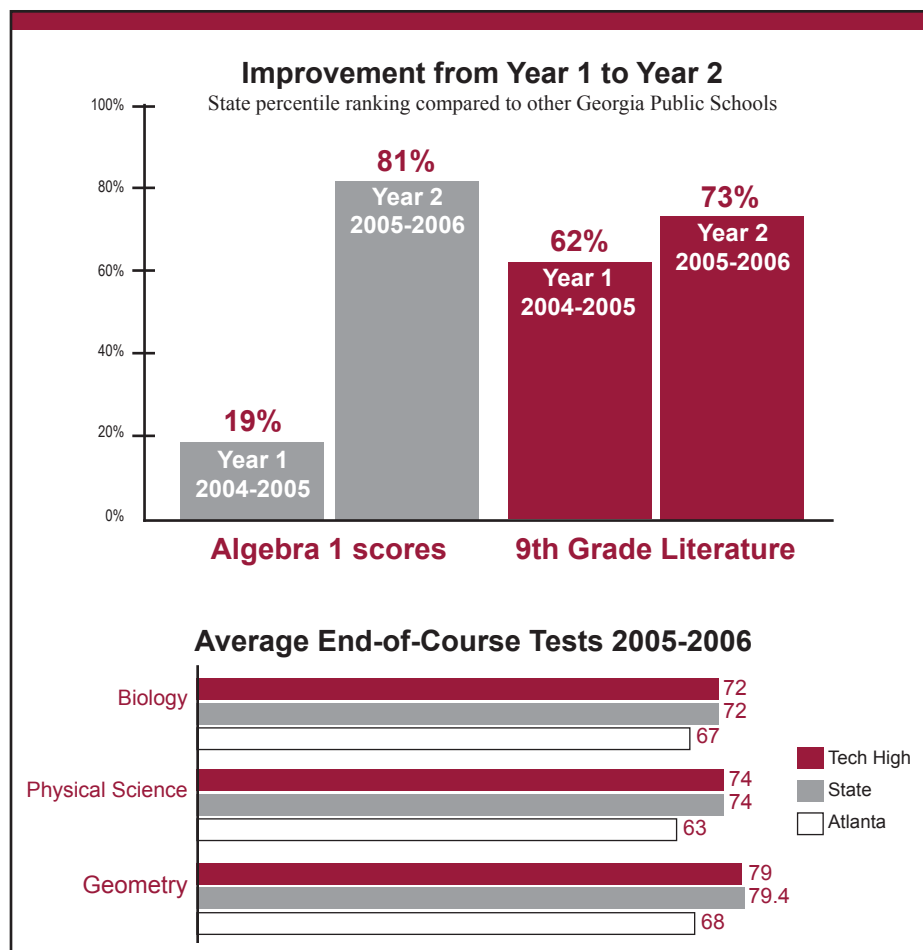
Tech High's success in student achievement with a high poverty, high minority, urban population is based on four key factors: High expectations and standards for all students—both academically and behaviorally; teacher excellence; dynamic leadership; and small school size and small class size.

It is a fully accredited institution, located in a refurbished former elementary school, and ready to become a local, state, and national model.

This innovative charter high school proves that there really are “No Excuses” and no substitute for hard work, high standards, and quality teaching. ■



Dr. Holly Robinson is senior vice president of the Georgia Public Policy Foundation, an independent organization that proposes market-oriented approaches to public policy.



The Next Step Magazine Launches Redesigned Web Site

Offers education-minded teens central location for college planning

The Next Step Magazine, a college, career, and life-planning magazine for high school students, recently announced the launch of www.nextSTEPmag.com. The redesigned, more user-friendly site is positioned as a central location and comprehensive source for education-minded teens looking for the latest news, trends, and tips about college planning.

“When we decided to update the site, we polled students to find out exactly what they wanted,” said Chris Roberts, Vice President of Marketing and Interactive, Next Step Publishing, Inc. “As a result, the new site offers a seamless online experience that marries the information students need for college planning with fun topics and message boards that will entice and engage them.”

A key element of the updated site is the “Next Stepper” membership program. The teen community offers numerous categories for students to sound off about, from extracurricular activities to financial aid to test preparation. To further connect with teens, www.nextSTEPmag.com offers students who register opportunities to win scholarships, cool prizes, and enter writing contests.

“By offering more user-generated content, we will enhance

our relationship with current “Next Steppers,” expand brand awareness to a broader teen audience, and, most importantly, provide more opportunities for students to offer advice and share stories with one another,” added Roberts.



In addition to providing objective content for students, the site has a section for parents and guidance counselors. The goals are to offer adult networking opportunities and help build relationships among all parties involved in the college planning process.

“Our research shows that teens are going both online and offline for information and want multiple platforms to receive content,” added Roberts. “The Web site and *The Next Step Magazine* will each have their own unique features, yet have synergy, driving traffic to one another.” ■

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Teachers Decertify from State and National Union

Illinois teachers stand firm on decision despite union harassment and threats

Teachers in Southern Illinois overwhelmingly voted recently to decertify their state and national union, the first local union to do so in the state.

The Century Education Association (CEA), representing Century School District in Ullin, Illinois, voted to become a “local-only” union, freeing the teachers of membership with both the Illinois Education Association (IEA) and the National Education Association (NEA).

The vote came after the members of CEA determined that they were no longer happy with the representation and services they were receiving from IEA. After an initial vote in

November, the teachers in the local association were subsequently harassed by the IEA, being told falsely that they would lose their current contracts if they were to decertify.

“We really felt that the IEA and the NEA were not organizations out to represent the best interests of teachers,” said Debra Goins, President of the CEA and a teacher at Century Elementary School. “We all felt we should have the right to choose to affiliate or not, without being harassed, bullied, lied to, and

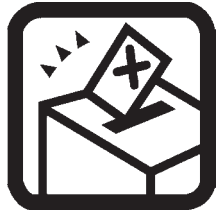
intimidated.”

The vote made official CEA’s departure from the IEA and NEA. CEA will now be solely responsible for the collective

bargaining for the district. Other benefits previously supplied by the IEA, such as liability coverage, will be provided by the Association of American Educators (AAE).

“We are pleased to assist CEA’s efforts in becoming a local-only organization,” said La Rae Munk, AAE Director of Legal Services. “Teachers should have the right to be self-governed and make their own decisions regarding their employment.”

This is the latest in a nationwide movement of teachers away from union affiliation toward a more self-governed approach to collective bargaining. Teachers in Washington, California, and Iowa, among others, have all chosen either self-representation or local union representation over membership in the state and national unions. ■



“We all felt we should have the right to choose to affiliate or not, without being harassed, bullied, lied to, and intimidated.”



Teacher-to-Teacher Workshops Scheduled

The Teacher-to-Teacher Initiative is pleased to announce its 2007 summer workshop schedule. Regional workshops will be held in twenty-two cities across the United States to provide free, high-quality, professional development opportunities for teachers.

Prominent educators will share best practices in all grade levels and content areas. Agendas were posted during January and February, and registration begins on April 8, 2007. This year’s co-hosts include the National Park Service, NASA, Microsoft, Siemens, EMC, AMD, Symantec, University of Nevada, Motorola, General Motors, and Target.

A 2006 participant commented on his experience, saying, “Fantastic. Outstanding. Every session has been thorough and informative.” Another participant said, “It’s more than what I expected, there is so much information that I am going back with that I want to just use it right now!” Another teacher commented, “You just get energized and I am very motivated!”

You will not want to miss an opportunity to attend a Teacher-to-Teacher workshop this upcoming summer! Check with your district about receiving professional development credit for your participation.

Scheduled cities include: Anchorage, AK; Phoenix, AZ; Mountain View, CA; Orange County, CA; Santa Clara, CA; Estes Park, CO; Homestead, FL; Miami, FL; Chicago, IL; Schaumburg, IL; Porter, IN; Louisville, KY; Lowell, MA; Waltham, MA; Warren, MI; Albuquerque, NM; Reno, NV; Houston, TX; El Paso, TX; Austin, TX; Herndon, VA; Redmond, WA. To review a full listing of the 2007 Summer Workshop Schedule visit: www.t2tweb.us/Workshops/Schedule.asp.

Called to Serve Again

Troops to Teachers provides financial assistance for military members and spouses

The Troops to Teachers (TTT) program enriches the quality of American education by helping to place and retain mature, motivated, experienced, and dedicated personnel in our nation's classrooms. Thousands of current and former military personnel are discovering new and rewarding careers in teaching, helping to build and sustain our nation's communities.

Through the Troops to Teachers program, eligible

military members are able to obtain a \$5,000 stipend for educational expenses to obtain a teacher's license. Military members already teaching may utilize the \$5,000 stipend to obtain a second endorsement in a high-need subject area such as math, science or special education. Additionally, eligible military members who work in low-income schools may receive a \$10,000 bonus.

To assist military spouses

interested in pursuing teaching careers the Department of Defense has recently developed a new pilot program. Spouses to Teachers (STT), administered by the TTT offices, launched in September 2004 and is currently operating in fourteen states as well as Europe and Asia. Through the Spouses to Teachers program, eligible military spouses receive up to \$600 reimbursement for



teacher examinations.

For further information regarding the Troops to Teachers or Spouses to Teachers programs, please contact Mountain West Troops to Teachers at 719-262-4107 or info@mwttt.com.

F.R.E.E.

The U.S. Department of Education launches FREE website for teachers

The U.S. Department of Education is pleased to announce the newly remodeled and updated Federal Resources for Education Excellence (FREE) website. It

now provides richer, more expansive resources to teachers and students alike. There are over 1,500 resources to take advantage of at FREE, ranging from primary historical documents, lesson plans, science visualizations, math simulations and online challenges, paintings, photos, mapping tools, and more. This easily accessible information is provided by federal organizations and agencies such as the Library of Congress, National Archives, NEH, National Gallery of Art, National Park Service, Smithsonian, NSF, and NASA.

Check it out today at <http://www.free.ed.gov>.



\$10,000 for Student Inventors

What could a high school team invent with \$10,000? Lemelson-MIT InvenTeams is a noncompetitive initiative that awards grants up to \$10,000 each to teams of high school students, teachers, and mentors to identify a problem and invent a solution for it. Designed to excite, empower, and encourage students

through hands-on problem solving, InvenTeams aims to inspire a new generation of inventors. Initial applications are due April 27, 2007. Apply at www.mit.edu/inventeams or email questions to inventeams@mit.edu.



Attention AAE Members

Your input is needed regarding No Child Left Behind

As you know, No Child Left Behind is in its fifth year and is scheduled for reauthorization. Before AAE takes strong positions on the specific issues, we want our members' input. AAE is currently conducting a survey of our members because we value your opinion.

The survey link will be emailed to you or can be found on our website at www.aateachers.org. You must have your AAE member ID number to log-in to the survey. If you have questions or need to obtain your member ID, please contact the AAE office at 800.704.7799 or email us at info@aateachers.org.

Thank you for your input. You can make a difference!

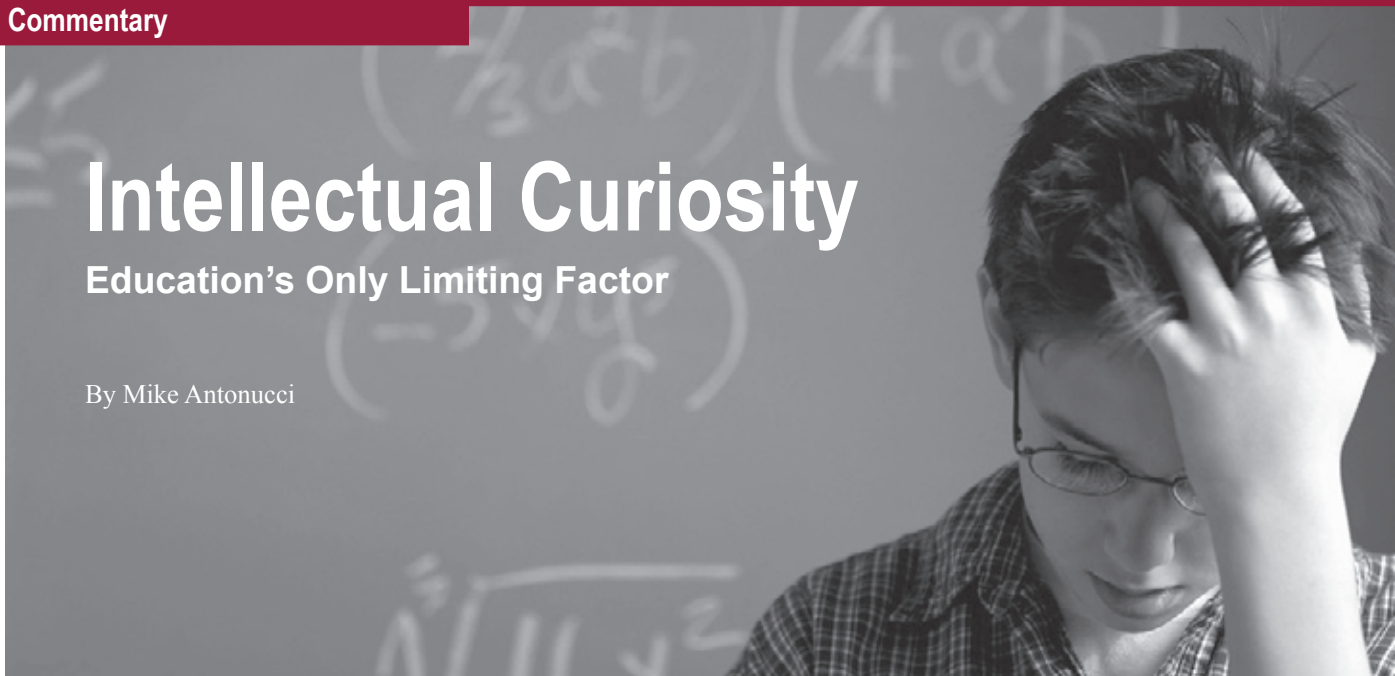


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Intellectual Curiosity

Education's Only Limiting Factor

By Mike Antonucci



Attempting to identify the culprit for student underachievement is a national pastime. The list of suspects is endless: poor teachers, lack of funding, class size, lack of choice, bureaucratic bloat, lack of parental involvement, too-mushy curriculum, too-restricted curriculum, and on and on. Charles Murray of the American Enterprise Institute suggests the culprit is IQ.

The Washington Post reported on some of the results of the Intercollegiate Studies Institute's *Civic Literacy Report*, including the fact that a substantial number of college students think that in his "I Have A Dream" speech, the Rev. Martin Luther King was arguing for the abolition of slavery.

Blame Schools?

It would be easy to blame such a travesty on poor schools, bad teachers, or indifferent politicians, but there does seem to be a reticence to lay the blame on the students themselves.

I once wrote that the qualities of a good

teacher are the ability to create an environment where learning is possible, and the subject knowledge to make learning

At some point, the responsibility of the taxpayers, government, schools, teachers, and even parents ends, and the responsibility of the students begins.

worthwhile. Anything after that is up to the students. Clearly, many of them are not up to the task.

There are good schools and bad schools. There are good teachers and bad teachers. There are good curricula and bad curricula. None of it makes someone a good or bad student.

Students (and adults) are human beings, not Jeopardy contestants. No matter how many innate advantages we may have, how high our IQ is, how exceptional a school we attend, how motivated a teacher we have, or how much money we

spend, eventually we come across something we don't know and weren't taught in school. What we do then is what determines if we will be

a successful student (and adult).

It is unthinkable that a college student of today has never heard of Martin Luther King. And it is also unthinkable that a

17 to 21 year-old has never had the opportunity or means to discover what King's "I Have A Dream" speech was about. So, if you think it was about abolition, you have no one to blame but yourself.

"Learn" is an active verb. At some point, the responsibility of the taxpayers, government, schools, teachers, and even parents ends, and the responsibility of the students begins. ■

Mike Antonucci is Director of The Education Intelligence Agency; www.eiaonline.com.