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Fwd: Rauner struggling with Charter Commission bill?

1 message

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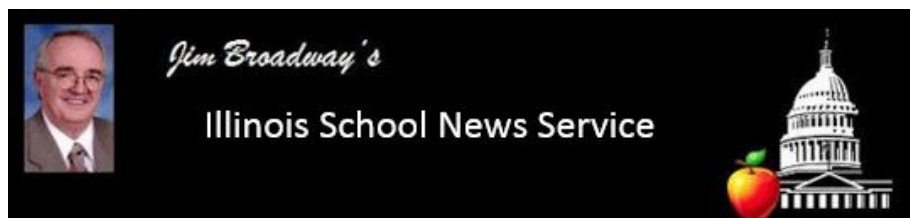
Mon, Aug 27, 2018 at 7:40 AM

September Board Meeting

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From: **State School News Service** <j.m.broadway74@gmail.com>
Date: Mon, Aug 27, 2018 at 2:00 AM
Subject: Rauner struggling with Charter Commission bill?
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Rauner struggling with Charter Commission bill?

By Jim Broadway, Publisher, Illinois School News Service

Gov. Bruce Rauner appears to be having difficulty deciding what to do about [HB 5175](#), the bill that would repeal the Illinois State Charter School Commission's unfettered authority to overturn a local school board's decision to reject an application for their district to host (but not control) - and to pay for - a charter school.

As you can see [at the bottom of this web page](#) linking you to all School Code-amending bills passed by the General Assembly in the spring, HB 5175 is the only one of the total of 34 bills that Rauner has not yet acted upon. He has signed 26 of them into law; he has vetoed seven (far more than I expected).

Last week, as you recall, I guessed that he would veto HB 5175 bill Friday, taking advantage of the PR fact that people usually pay little attention to the late Friday afternoon "news cycle" because they have so much else to do, so much fun to have. But Rauner let that chance to be inconspicuous about the veto go by.

My initial guess about the timing was based on the assumption that Rauner would want this veto to be hardly noticed, that he would want his desire to let an anonymous state commission overturn locally elected school boards' decisions on such proposals to be obscured in the glare of Friday night lights.

But what if he wants this veto to be noticed? The assumption so far has been that Rauner would see the veto as a political negative for him, since citizens (voters) might object to having a panel of "outsiders" rule their school boards out of order on an issue as costly and controversial as a charter school.

The Commission can put a charter school in a district whose board doesn't want it; it can also lock a charter school in place after a district determines that it is failing to achieve its objectives - as the generally charter-friendly board of the [Chicago Public School District learned](#), to its dismay, a couple of years ago.

How could a veto of a bill like HB 5175 be portrayed as politically positive? There's only one way, and it's a narrative that business leaders (Rauner's one of those) have been spinning for years, the *narrative that denigrates*, if not demonizes, the value of *public schools*. Now I'll give you my favorite example of this spin.

Prominent Chicago businessman and political meddler Ron Gidwitz was appointed by Gov. George Ryan as Chairman of the State Board of Education in April of 1999 (after Gidwitz had given \$22,000 to Ryan's 1998 election campaign). I was granted a one-hour interview with Gidwitz a few months later.

We talked mostly about the education "reforms" he had learned about in a visit to Texas, reforms mainly about holding educators accountable for students' scores on standardized tests. It was a new a concept at the time, one that narrows the curriculum and puts heavy stresses on teachers and students alike.

The drivers of "The Texas Miracle," as Gidwitz called it, comprised a massive experiment with the nation's 50+ million schoolchildren, with Illinois' 2 million school children. I asked Gidwitz: What if you're wrong? "The public schools are so broken, there's nothing we could do to make them worse," he responded.

Well, The Texas Miracle morphed into the No Child Left Behind Act shortly after the man who taught Gidwitz about it became President of the United States. Gidwitz' conclusion that nothing he and his colleagues "could do to make them worse" now seems thoroughly refuted. (Gidwitz is now [Ambassador to Belgium](#).)

You must understand that corporate leaders do not mean to offend when they casually dismiss the idea that educators may actually know more about education than they do. It's just a tenet of their faith in their own superior understanding. In the 1990s, documents produced by the national [Business Roundtable](#) deplored the fact that rubes at the local level just kept getting in their way, preventing them from taking over the schools and educating the kids effectively.

Happily, the Business Roundtable has since turned its attention to other issues, such as the transportation infrastructure, and job-creation, and trade. ("Modernize NAFTA, don't weaken it.") The closest they come to meddling in education is in workplace training. They've turned their attention to other opportunities.

Rauner must act on HB 5175 about Wednesday. Otherwise, it would become law, as passed, without him. He will not want that to happen. An outright veto now seems unlikely; politically, he needs to confuse things a bit. A well-crafted "amendatory" veto could kill the bill - and make others share the "blame."

The goal - Rauner's and the Commission's - remember, is to preserve the ISCS's unfettered authority to impose a charter school on any district, whether the district board likes it or not. It was obvious, as I wrote in 2011, that the only reason for having a commission was to have someone *unaccountable* to be able to do that.

If Rauner writes a "recommendation for change" that preserves this authority but is otherwise confusing enough, the bill would surely be allowed to die in November. Proponents of the bill wouldn't accept the "recommendation," and Rauner's political allies in the legislature would oppose an override motion.

Look for an amendatory veto on this one, by Wednesday. Then expect the bill to expire and be interred in November. But look for another bill to de-fang the ISCS to be considered in 2019 - especially if J.B. Pritzker becomes Illinois' governor. Pritzker has called for a moratorium on charter school authorizations.

Last week's commentary was seen by at least one subscriber as an indication that I have a dim view of charters. This is not the case. As I noted last week, the research on charter schools' effectiveness has become ambiguous. Just like regular schools, some charters are awesome and some are awful - but most are in between.

Only two elements of Illinois charter school law seem inappropriate to me. One is that, while we pretend that school governance reflects the democracy we all congratulate ourselves for having, an elected school board is powerless to prevent an unaccountable panel from imposing a charter on their district. That should not be.

But we've talked enough about that point. The other - perhaps even more egregious - is the total lack of concern the law has for the interests of students in a district *who do not attend a commission-imposed charter school*. This concern jumps at you from the legal criteria the commission has for the imposition.

Current law (which will still control if this bill dies) conditions the Commission's ability to reverse a local decision, in part, on "the best interests of the students the charter school is designed to serve." The *interests of other students in a district are conspicuously* omitted from the criteria. [[See Paragraph \(h\) in this statute.](#)]

The Commission could still be an authorizer of charters if HB 5175 is enacted. In fact, a pending proposal in Springfield for a new "[Barack and Michelle Obama Legacy Academy](#)" is an example. If the school district opts not to act on a proposal - as the [Springfield district apparently has](#) - it can be appealed to the Commission.

Snippets:

Many Teachers Retirement System members are applauding Rauner's signature on [SB 3046](#), a bill that explicitly asserts that a "*TRS benefit recipient shall not be deemed ineligible to participate [by re-enrolling in the TRS health benefits program] solely by reason of the TRS benefit recipient having made a previous election to disenroll or otherwise not participate in the program of health benefits.*" An ISNS subscriber joyfully declared, "It impacts me!"

At the top of this commentary you were linked to a [web page with all 34](#) School Code-amending bills that were passed by the General Assembly in the spring listed in a table. You are encouraged to use that page to access key information on bills of interest to you (sponsors, House and Senate vote totals, final texts, etc.).

Links to most newsletters posted so far this year are available [at this web page link](#). Please remember that *current* ISNS archives are for our subscribers only; *do not share this link*. But all 2017 issues can be found [HERE](#). You *may share the 2017 archives web page link* with anyone who wants to see it.

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