

# School 'privatizers' caught in new scam

by Charles Tuttle

Advocates of school "privatization" and other schemes aimed at looting America's \$800 billion per year public education budget are becoming increasingly desperate, as parents, teachers, and school officials in many parts of the country continue to throw up serious obstacles to their plans.

One of the more important national test cases for school privatizers is playing out in Wilkesburg, Pennsylvania, a suburb of Pittsburgh. The case is important for two reasons. First, it breaks new ground in tearing apart the tenure system, an underpinning of American education, and, second, it involves a head-to-head showdown with one of the pivotal figures in the Conservative Revolution—Mont Pelerin Society and Heritage Foundation moneybags Richard Mellon Scaife.

In early 1995, the Wilkesburg School Board signed a contract with the Nashville-based Alternative Public Schools Inc. (APS), placing the company in charge of the Turner Elementary School, and granting it extraordinary powers, including the right to "furlough" tenured teachers, who were members of the Wilkesburg Education Association (WEA, a local union affiliated with the National Education Association), and set up their own staff and faculty to privately manage the school.

On July 18, a day after the board met to work out plans to accelerate payments to APS to ensure the program was in place by the start of the school year, two dozen Turner teachers were furloughed.

## Mellon Scaife's 'baby'

The Wilkesburg pilot project, known as the "Turner Initiative," was started last year, when Richard Mellon Scaife gave the school board \$25,000 in foundation money to launch the experimental school.

Following the furloughing of the teachers, the WEA filed a lawsuit to void the contract. On March 30, Allegheny County Common Pleas Judge Judith Freeman ruled that the Wilkesburg contract was, in fact, illegal.

Richard Mellon Scaife next arranged for the Landmark Legal Foundation, a libertarian group heavily funded by two of his family trusts, to file a counter-suit to have the contract reinstated. After contradictory lower court rulings, a Pennsylvania state appeals court ruled on July 17 that the contract was illegal. Nevertheless, after being informed of the court decision, the Wilkesburg School Board voted later the same day to go ahead with the contract, and authorized the wiring

of \$950,000 in public funds to APS so they could hire replacement teachers in time for the Aug. 27 start of the new school year.

When she learned of the board's action, Judge Freeman scheduled an Aug. 17 contempt of court hearing that could lead to the jailing of Wilkesburg School Board members and attorneys if she decides that the district illegally proceeded with plans to privatize Turner.

The day after the state court threw out the Wilkesburg contract, Gov. Tom Ridge (R) lamented the ruling, promising to introduce legislation in the fall that would permit districts to turn over operation of elementary and secondary schools to private firms.

Ridge, in June, pushed legislation as part of the upcoming year's education budget, allowing for charter schools, vouchers, privatization, and other "school choice" programs. However, the Pennsylvania House Rules Committee eliminated a provision in the package to give districts broad authority to enter into contracts with private firms to run schools—including authority to suspend teachers or other staff "not needed" under the private contract.

In a tumultuous session in the state House on June 16, Speaker Matthew Ryan (R) and Majority Leader John Perzel (R) pulled the bill from the floor at the last minute in order to avert certain defeat.

Minority Leader H. William DeWeese (D) denounced the GOP action as reminiscent of politics in an eastern European totalitarian state. Another provision shot down in the same session, was a "home rule statute" which would have given local school districts autonomy to charter local experimental schools with no requirement to comply with state school codes.

Similar maneuvers by U.S. House Speaker Newt Gingrich (R-Ga.) to use the District of Columbia as a national showcase for privatization under the auspices of the D.C. Financial Control Board, have also run up against a brick wall. Rep. Steve Gunderson (R-Wisc.), Gingrich's point-man on education in the Speaker's D.C. Task Force, is pushing a combination of charters, vouchers, and privatization on D.C., but has been unable to marshal public support.

And efforts by the D.C. School Superintendent to give Education Alternatives, Inc., the Minneapolis-based company that has an abysmal track record in running schools in Baltimore and Hartford, contracts to administer a dozen District schools also was blocked. A vote scheduled on July 28 by the D.C. School Board was cancelled when privatization advocates on the board, aware that the EAI contract would be soundly defeated, boycotted the meeting to prevent a quorum.

The pattern of parliamentary tricks and violations of the law that have been recently used by the would-be privatizers may have bought them time, but it is not winning them support from parents and educators who are painfully aware of the crisis in the nation's schools, but who have not been bamboozled by "free market" rhetoric.