

AGENDA

SPRING NAFIS CONFERENCE 2018
Sunday, March 18, 2018
10:30 AM – Noon

- I. Comments including a Review of the Mission/Vision of the Federal Lands Impacted Schools Association – Bob Reichert
 - No district financially destroyed
 - Widen participation of 8002 districts
 - Fair distribution of 8002 funds
- II. Introductions and Roll Call – Tom Gregory
- III. Recognition of new attendees – Bob Reichert
- IV. Executive director's report – Tom Madden
 - A. Reauthorization
 - B. As normal, most of Monday's meeting will be devoted to a work session involving further development of the ADVOCACY ACTION PLAN – Quick summary by committee chairs of the work done thus far and plans for Monday. Of special focus in these summaries will be the work done during the winter meeting in Bonita Springs.
 - C. President's Budget
- V. Targeted Lobbying for this Conference – Tom Schneider
- VI. Website/Social Media Update: Show FLISA "Elevator Speech" – Terry Tambllyn
- VII. Approval of minutes from the winter meeting – Cassie Bergman

- VIII. Treasurer's Report – Tom Gregory - 2018-19 Tentative Budget presented – To be voted on at the summer meeting
- IX. New Business
 - FLISA Board Election – Tom Schneider
 - Other Items from membership
- X. NAFIS Board Update – Tom Schneider/Sandy Doebert
- XI. Information Items
 - A. Summer Meeting Update, June 23, 2018 – Skirvin Hotel – Oklahoma City, OK
 - B. Winter Meeting Update – January 5, 2019 (AZ or CA)
- XII. NAFIS Update – Hilary Goldman

Federal Lands Impacted Schools Association

Education For Children, Fairness for Taxpayers

Federal Lands Impacted Schools Association

Education For Children, Fairness for Taxpayers

AGENDA

SPRING NAFIS CONFERENCE 2018
Monday, March 19, 2018
8:30 – 9:45 am

- I. Call to Order/Introductions – Bob Reichert
- II. Old Business
 - Any Carry-Over from Sunday's Meeting New Business
 - Other

III. Continued Work on the ADVOCACY ACTION PLAN Implementation

IV. Other items?

MISSION

The Mission of National 7002 Impacted Schools is to secure federal funding which reimburses eligible districts for tax revenue lost (for student programs) due to the federal governments removal of land from the local tax roles; such revenue to be used for the public education of students.

VISION

Secure 100% funding for the 7002 program

GUIDING PRINCIPLE

7002 Impact Aid Funds will be distributed in a fair and equitable manner
Membership in Section 7002 will be expanded
No decision will financially destroy or severely harm any district

GOAL

Secure funding to increase the 2009 appropriations for Section 7002 to \$104,208,335, which would bring it to a funding level of one-third of our entitlement over the next ten years.

OBJECTIVES

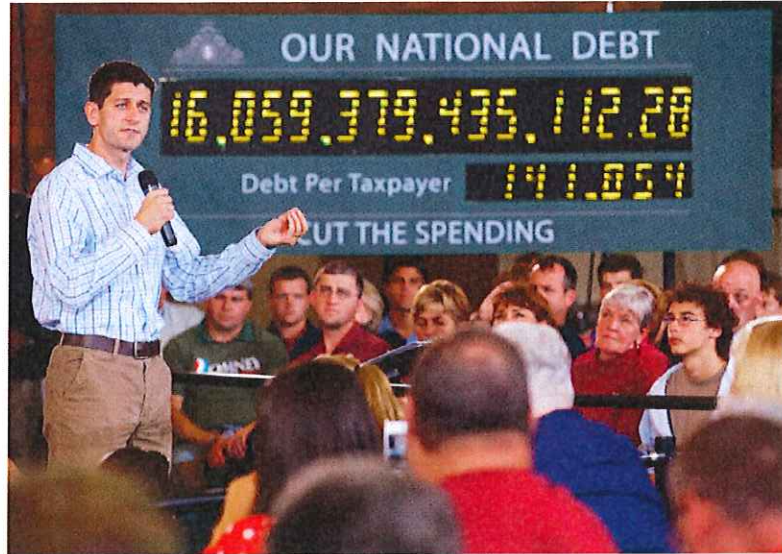
1. Develop the strategy that will cause the achievement of this goal
2. Enhance communications among 7002 districts
3. Enhance communication with members of Congress
4. Work with the leadership of other NAFIS groups to form a unified front to speak with one voice
5. Cultivate leadership from within the 7002 group
6. Assure continued reauthorization of the 7002 Impact Aid Program
7. Broaden participation by increasing membership and encouraging active participation by current members

ACTION ITEMS/ACTIVITIES

*As outlined in Advocacy Action Plan

The Era of Fiscal Austerity Is Over. Here's What Big Deficits Mean for the Economy.

It depends on whether you look at the short, medium or long term.



When he was running as a Republican vice-presidential candidate in 2012, Paul Ryan spoke in front of a national debt clock. Brian Snyder/Reuters

By Neil Irwin Feb. 9, 2018

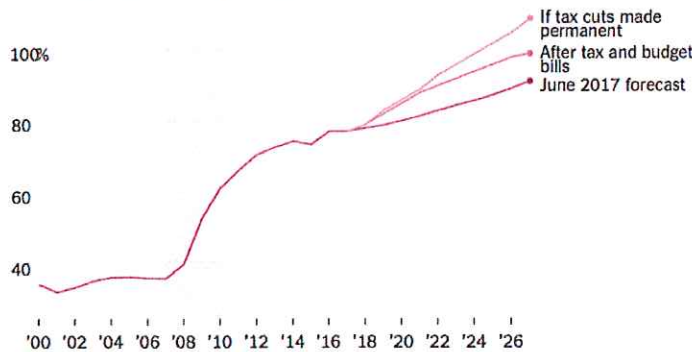
The last seven weeks amount to a sea change in United States economic policy. The era of fiscal austerity is over, and the era of big deficits is back. The trillion dollar question is how it will affect the economy.

In the short run, expect some of the strongest economic growth the country has experienced in years, and some subtle but real benefits from a higher supply of Treasury bonds in a world that is thirsty for them.

In the medium run, there is now more risk of surging inflation and higher interest rates — fears that were behind a steep stock market sell-off in the last two weeks.

Debt Is Set to Rise

Tax cuts and a new spending deal are forecast to increase the national debt substantially
Debt held by the public as share of G.D.P.



Gray area indicates 2008 financial crisis and aftermath.

By The New York Times | Source: Congressional Budget Office, Center for a Responsible Federal Budget

In the long run, the United States risks two grave problems. It may find itself with less flexibility to combat the next recession or unexpected crisis. And higher interest payments could prove a burden on the federal Treasury and on economic growth. This is particularly true given that the ballooning debt comes at a time when the economy is already strong and the costs of paying retirement benefits for baby boomers are starting to mount.

It's hard to overstate how abrupt the shift has been.

When the Congressional Budget Office last forecast the nation's fiscal future in June, it projected a \$689 billion budget deficit in the fiscal year that begins this coming fall. Analysts now think it will turn out to be about \$1.2 trillion.

One major reason is the tax law that passed on Dec. 20, which is estimated to reduce federal revenue by about \$1.5 trillion over the next decade, or \$1 trillion when pro-growth economic effects modeled by the congressional Joint Committee on Taxation are factored in. A budget deal passed in the early hours of Friday morning includes \$300 billion in new spending over the next two years for all sorts of government programs and \$90 billion in disaster relief, without corresponding cuts elsewhere in the budget.

It is a stark reversal from 2010 to 2016, when congressional Republicans insisted upon spending cuts and the Obama administration insisted on raising taxes (or, more precisely, allowing some of the Bush administration's tax cuts to expire). Those steps, combined with an improving economy, cut the budget deficit from around 9 percent of G.D.P. in 2010 to 3 percent in 2016.

The Near Term: Strong Growth in 2018

In almost any economic model you choose, the new era of fiscal profligacy will create a near-term economic boost. For example, Evercore ISI, the research arm of the investment bank Evercore, estimates that the combination of tax cuts and spending increases will contribute an extra 0.7 to 0.8 percentage points to the growth rate in 2018, compared with the policy path the nation was on previously.

Economists generally think that these policies will have a lower "multiplier" than these policies would have if they took place during a recession, when there is more spare capacity in the economy. But that doesn't mean the multiplier becomes zero.

"Some people assume that because this was a bad process and the tax bill is really regressive that it won't have a short-term growth impact, but I think that's wrong," said Adam Posen, president of the Peterson Institute for International Economics. "We shouldn't confuse whatever distaste one has for the composition of the package for totally overwhelming the multiplier effects."

Put a different way, it would be very hard for the government to pump an extra half-trillion dollars into the economy in a single year without getting some extra economic activity out of it.

Another potential near-term positive for the global financial system could be the effect of billions of dollars in bonds issued by the Treasury. For years the world has experienced what some analysts call a "safe asset shortage," too few government bonds and other investments viewed as reliable relative to demand.

This has arguably been a factor in depressed interest rates and sluggish growth across much of the advanced world. More Treasury bonds floating around might reduce those pressures.

The Medium Term: Depends on Economic Slack, and the Fed

Over the next two or three years, things get more murky. What happens will depend on how the economy responds to the additional fiscal stimulus, and how the Fed responds to that.

The big question is whether the economy has the room to keep growing without higher inflation emerging. The unemployment rate is already low at 4.1 percent, so there aren't exactly hordes of jobless people available to be put back to work. That means there is a chance that all this extra money flooding into the economy doesn't go toward more economic output but just bids up wages and ultimately consumer prices.

If that happens, the Federal Reserve would almost certainly raise interest rates more than it now plans, essentially engineering an economic slowdown to try to keep inflation from accelerating. In that scenario, the apparent benefits of tax cuts and spending increases would be short-lived.

But there's no certainty that will happen. It may be that the United States has more growth potential than standard models suggest. Perhaps corporate income tax cuts and looser regulation on business will unleash more capital investment and higher productivity, as conservatives argue. Maybe some of the millions of prime-age adults who have dropped out of the labor force in recent years will come back in, creating more economic potential.

"The really big question mark we have is how much slack there really is in the economy," said Donald Marron, a scholar at the Urban Institute who was once acting director of the Congressional Budget Office. "If you look at conventional measures, unemployment looks really low, but on the other hand if you look back to what we used to think of the potential of the economy a few years ago, we may have some room to grow."

The Long Run: Higher Debt-Service Costs and Less Room to Maneuver

The public debt was already on track to rise relative to the size of the economy before the new tax and spending deals; now it will probably rise faster. The Congressional Budget Office projected last June that the nation's debt-to-G.D.P. ratio would rise to 91 percent in 2027, from 77 percent in 2017.

The C.B.O. hasn't updated those numbers to reflect the new tax and spending legislation, but the Committee for a Responsible Federal Budget [estimates](#) that it will turn out to be between 99 and 109 percent, depending on whether provisions of the tax law are allowed to expire as they are scheduled to.

But those numbers are just an abstraction. The question is what effects higher debt loads might have for Americans in 2027 and beyond.

Higher debt service costs are one big one. Taxpayers in 2027 were forecast to pay \$818 billion a year in interest costs even before the tax cuts and spending increases, or 2.4 percent of G.D.P. That will presumably be higher, because taxpayers will be paying interest costs on more debt, and probably at higher interest rates.

And there is probably some point at which the amount of debt the government takes on crowds out private investment; to the degree that the supply of funds to borrow is finite, every dollar the government borrows is not available to be lent to a homeowner taking out a mortgage or a business looking to expand. That said, in practice, the supply of loanable funds is not finite — households may save more with higher interest rates, for example, and foreign capital might flow in.

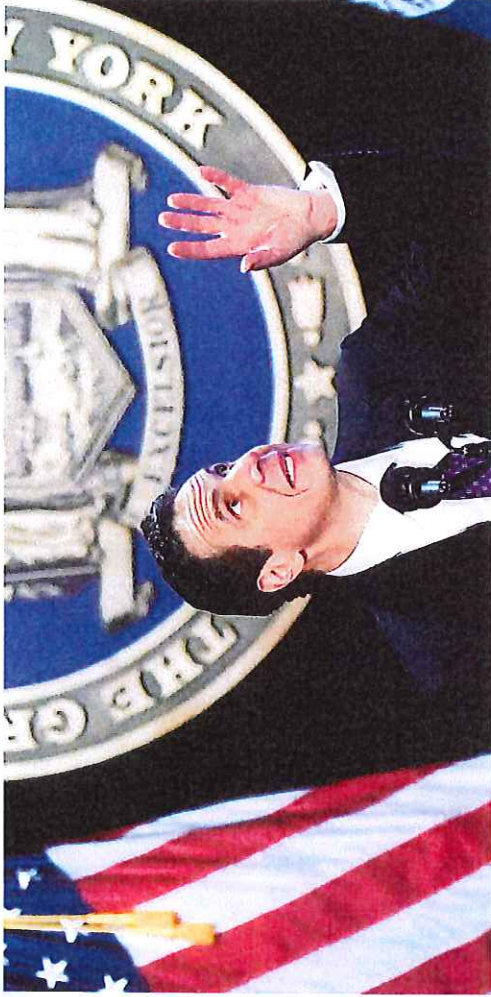
The bigger costs of a high national debt may come in how much flexibility policymakers have to respond to a future recession or crisis. If the United States finds itself in a major war or a deep recession, its starting point in terms of debt load will be much higher than it was at the onset of the Iraq War or the 2008 financial crisis.

“It’s about risk management,” Mr. Posen said. “We may need that fiscal capacity for something else.”

Neil Irwin is a senior economics correspondent for The Upshot. He previously wrote for The Washington Post and is the author of “The Alchemists: Three Central Bankers and a World on Fire.” [@Neil_Irwin](#) | [Facebook](#)

A version of this article appears in print on February 9, 2018, on Page A1 of the New York edition with the headline: Austerity Era Comes to End. [Order Reprints](#) | [Today's Paper](#) | [Subscribe](#)





Why states may get away with creative income tax maneuvers

January 7, 2018 10:56pm EST

New York Gov. Andrew Cuomo vows he will fight to protect his state from fallout from the new tax law. AP Photo/Hans Pearson.

Fearing that the new tax law will make it harder for them to raise enough revenue for public schools and other vital services, high-tax states such as California, New Jersey and New York are wasting no time in fighting back.

Other states are likely to follow suit as the benefits of these actions become clear, setting the stage for a bitter legal dispute over federal and state taxation.

As a tax law professor who researches the interactions between federal and state tax systems, I believe these initiatives are likely to succeed in softening the impact of the new tax law on residents of high-tax states.



Daniel Hemel
Assistant Professor of Law, University of Chicago

Author



Kevin de León
@kdeleon

GOP tax law has targeted and disproportionately harmed Dem donor-states. Now we're moving forward with our own policies to protect California's taxpayers. [twitter.com/HallieJackson/...](https://twitter.com/HallieJackson/)

1:40 PM - Jan 2, 2018

27 18 68

Bypass the SALT

At issue is a new US\$10,000 cap on the amount of money Americans may deduct on their federal income tax returns for what they pay in state and local taxes.

What's more, because the new law rolls all personal exemptions into an enlarged standard deduction, millions of households will stop itemizing on their returns. Consequently, the number of taxpayers claiming the "SALT" deduction is likely to fall by around two-thirds.

This SALT constraint will take the biggest toll on residents of states where residents are most reliant on the current deduction. New York, New Jersey, Connecticut and California top that list.

As a result, experts predict that voters in those states will become more resistant to existing taxes and more apt to oppose future increases. That could be particularly problematic for states – like Illinois and New Jersey – with severely underfunded pension plans.

The new limitations on the SALT deduction may even make it harder for high-tax states to attract talented, high-earning and mobile workers, leading to less dynamic state and local economies.

Two switcheroos

Two main strategies to bypass this constraint are taking shape.

First, New York is considering a proposal to shift some of its revenue-raising from personal income taxes to payroll taxes. The reason it would want to do that is because payroll taxes charged to employers – unlike personal income taxes – remain fully deductible under the new federal tax law.

Second, California and New Jersey, as well as New York, are considering plans to grant tax credits to taxpayers who donate to state-affiliated institutions, such as public schools, hospitals and parks.

These donations would be voluntary, and the resulting credits could be used to offset state and local income and property tax liabilities.

This is feasible because the tax overhaul left the charitable contribution deduction intact and the IRS has already indicated that donations to state charitable credit programs should be treated for federal tax purposes as charitable contributions rather than state and local tax payments.

Anyone who hits the US\$10,000 SALT cap could benefit from programs of this sort. Those taxpayers could replace some or all of their nondeductible state tax payments with deductible charitable contributions.

Not only would these initiatives alleviate the added federal burden for some taxpayers, they could make it easier for state and local governments to raise revenue in the future because residents could pay for public schools and other services with tax-deductible dollars.



Herb Jackson
@HerbNJDC



It's not a tax. It's a charitable contribution -- to governmentnorthjersey.com/story/news/new...

12:48 PM - Jan 5, 2018



Charity workaround to new federal cap could save New Jersey...

Deductions for charitable gifts do not face the same limit as deductions for state and local taxes, a fact California and New northjersey.com



Payroll please

Here's how the payroll tax change, which New York Gov. Andrew Cuomo mentioned his State of the State speech, would work.

Let's say your employer pays you \$100,000 a year and you pay \$5,000 in state personal income taxes, leaving \$95,000 before federal taxes and other charges.

What if instead your employer paid you \$95,000 in wages and also paid a \$5,000 payroll tax to the state? Your employer would be no worse off, with its out-of-pocket cost still totaling \$100,000, and the new tax law preserves an employer's ability to deduct payroll taxes from their own tax bills.

And you generally would be no worse off either, as you would still have \$95,000 before dealing with your federal tax bill.

Indeed, you would most likely fare better financially once federal taxes are factored in. The federal government would tax you on \$95,000, whereas you would be taxed on the full \$100,000 if the state did not adopt the payroll tax workaround and if you could not claim a SALT deduction.

That would be the case if you claim the standard deduction -- as at least nine-tenths of taxpayers will -- or if you hit the \$10,000 SALT cap based on property taxes alone. Depending on your federal tax bracket, the savings could increase your after-tax income by anywhere from 0.6 percent to 3.1 percent.

States adopting this approach do not need to repeal their personal income taxes entirely. Their income taxes still would apply to earnings from sources other than wages, such as investment or self-employment income. But they would not tax workers on wages that already have been subject to an employer-side payroll tax.

Implementing this change would be relatively straightforward in states like Illinois, Massachusetts and Pennsylvania, which have flat personal income tax rates. It would be somewhat more complicated to pull this off in states such as New York and California, which have highly progressive rate structures.

But this can almost certainly be done through a system of refundable credits, and the potential savings for state residents would be dramatic. In New York, for example, an average household might save around \$1,200 per year on its federal taxes.



Senate Minority Leader Chuck Schumer of New York and House Minority Leader Nancy Pelosi of California, like every single Democratic lawmaker, opposed the tax law – partly due to its impact on high-tax states. AP Photo/Andrew Hahn.

Charity begins at home

And here's how the charitable credit idea would work: Say your state offers you a 90-cent credit against state taxes for every dollar you give to an in-state university or local community college. The IRS determined in a memo in 2011 addressing a similar program in Missouri that the full \$1 donation would be a deductible charitable contribution, notwithstanding the state tax credit you get in return.

For someone in the 37 percent federal income tax bracket, this means their \$1 donation would generate 90 cents in state tax benefits and 37 cents in federal tax benefits. That's a \$1.27 after-tax return on a \$1 investment.

More than a dozen states already have implemented tax credit programs like this to finance private school vouchers. Nothing would stop them from extending these programs to finance state universities, community colleges, K-12 public schools, hospitals, parks and more.

Indeed, California Senate President Kevin de León already has introduced a bill along these lines. New York's Gov. Cuomo has expressed interest in the idea too, as has New Jersey Gov.-elect Phil Murphy.

Lingering questions

The payroll tax idea would work best for the majority of workers who earn wage income and who will

claim the standard deduction under the new federal tax law. The charitable contribution credit, in contrast, would be more likely to benefit higher-income households who continue to itemize deductions for federal purposes.

States can adopt both because the two approaches are not mutually exclusive.

Theoretically, the IRS could challenge either approach. But a well-designed state plan should hold up in court. With respect to the payroll tax workaround, Congress has explicitly said that taxes paid by employers should remain deductible, and nothing requires states to tax the wage income of their residents.

Seven states already have no state income tax, and two more have income taxes that exclude wages. There is no legal obstacle preventing additional states from reducing their reliance on income tax revenue and shifting toward employer-side payroll taxes.

The IRS of course could revoke its 2011 memo that blessed the charitable arrangements already out there. But decades of judicial precedent, which the agency on its own can't undo, supported that memo. Moreover, with similar tax credit programs that finance private school vouchers popular among the Republican Party's base, GOP lawmakers may resist moves to end such credit arrangements.

How many states will ultimately adopt proposals along these lines? It's too soon to say, but for now, it looks like states that choose to fight back against the SALT rollback will have the upper hand.



Charity California New York taxes tax policy States rights Trump tax plan Philanthropy and nonprofits
GOP tax bill 2017

Opinion OP-ED COLUMNIST

Taxpayers, You've Been Scammed

Paul Krugman MARCH 1, 2018

So you go out for dinner with a wealthy acquaintance. "I'll take care of everything," he says, and orders you a hamburger. Then he orders himself an expensive steak and a bottle of wine, which he doesn't share. And when the waiter comes with the check, he points at you and says, "Charge it to his credit card."

Now you understand the essence of the Trump tax cut, signed into law a little over two months ago.

The key thing you need to know is that right now the U.S. government has no business cutting taxes. We need more revenue, not less.

Why? The federal government, as an old line says, is a giant insurance company with an army. Most of its costs come from Social Security, Medicare and Medicaid — and all three programs are becoming more expensive as ever more baby boomers reach retirement age. This means that unless we cut back sharply on benefits that middle-class Americans count on, we will need to raise more revenue than in the past.

Yet even before the tax cut, federal tax receipts were looking weak for an economy with low unemployment and a rising stock market — for example, far lower as a percentage of G.D.P. than the tax take during the Clinton boom of the

1990s, and even a bit lower than they were at the end of the Bush-era expansion. The tax cut will push them lower still. Something will have to give.

And we already know what will give, if Republicans get their way: programs that benefit working Americans. In fact, the usual suspects like Paul Ryan were talking about the need for "entitlement reform" — meaning cuts in Medicare and Medicaid — to reduce deficits even as they were passing a huge tax cut that will make those deficits much worse.

Hence my analogy about the guy who "gives" you a hamburger, then bills it to your credit card. Ryan celebrated the tax cut with a tweet about a teacher saving \$1.50 a week on her taxes; that's like saying you should feel grateful for a "gift" that's actually being charged to your own credit card. How's that \$75-a-year saving going to look when the teacher finds out that, partly because of that tax cut, her mother's Medicare plan has been converted into an inadequate voucher system and Medicaid won't pay for her father's nursing home care?

Meanwhile, about your companion's steak dinner: Most of the tax cut actually consisted of huge tax breaks for corporations, which is in effect a big tax cut for stockholders. And while many Americans own a bit of stock via their retirement accounts, even if you include these indirect holdings, more than 80 percent of stocks are owned by the wealthiest 10 percent of the population. So on the face of it, the wealthy are giving themselves a big gift, and sending the bill to the middle class.

Now, the tax cut's defenders insist that it won't really work that way, that the benefits of lower corporate taxes will trickle down to workers instead. How's that supposed to happen?

Well, the theory is that lower corporate taxes will draw in lots of money from overseas, which corporations will invest in new plants and equipment, which will drive up the demand for labor, which will raise wages. And to be fair, there's probably something to this theory — something, but not very much.

First of all, even if the process were to work as advertised, it would take a long time — probably decades. Even the most optimistic analyses suggest that there would be little effect on wages for the first few years, which means that for now

what looks like a tax break for the wealthy is, in fact, a tax break for the wealthy.

Second, the story relies on a long chain of events with multiple weak links. For example, corporations with monopoly power won't see lower taxes as a reason to invest more; they'll just take the money. Meanwhile, there's growing evidence that big employers are using their power to suppress wages; cutting their taxes won't change that fact. So even in the long run we shouldn't expect a lot of trickle-down.

But wait — weren't there a lot of stories about companies using the tax cut to give their workers bonuses? Yes, there were — but only because the news media let themselves get played. Most of those bonuses would have happened anyway: In an economy with low unemployment, there are always some companies deciding to pay a bit more to attract workers. But companies had every incentive to pretend that the tax cut was responsible, if only to curry favor with the Trump administration.

And in any case the bonus hype was out of all proportion to the reality. So far, we've seen about \$6 billion in bonuses versus more than \$170 billion in stock buybacks, that is, handing money to wealthy stockholders. And money spent on buybacks is money that isn't being invested in plants and equipment, the supposed point of the tax cut.

So the message to middle-class taxpayers is, if you think you were helped by the tax cut, think again. Donald Trump and his allies pretended to give you a gift, but they gave themselves and their wealthy patrons much bigger gifts — and they're going to stick you with the bill. You've been scammed.

Follow me on Twitter (@PaulKrugman) and Facebook.

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A version of this op-ed appears in print on March 2, 2018, on Page A23 of the New York edition with the headline: Taxpayers, You've Been Scammed.

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Politics

Congress, Waiting for an Omnibus to Arrive

Senate staying on banking legislation, House looks at votes on guns

Posted Mar 12, 2018 11:25 AM

Katherine Tully-McManus (/author/published-iPro-Contributors-2016-02-07T27:26:18Z-fe286bed-1b86-4ded-839c-6d6b93dbfb3d) @ktullymcmanus (//www.twitter.com/ktullymcmanus)

House Approves Funding for Lantos Human Rights Panel (/news/politics/house-approves-funding-lantos-human-rights-panel)

New Training Available for Hill Staffers Who Witness Sexual Harassment (/news/politics/sexual-harassment-office-of-compliance)

Bulletproof Vests, Security Guards Approved for House Members (/news/policy/bulletproof-vests-approved-house-members)



Lawmakers could get their first look at an omnibus spending bill this week.. (Bill Clark/CQ Roll Call)

Keep an eye out for the release of a \$1.3 trillion omnibus spending bill this week. Negotiators are aiming to complete work on the sprawling bill and pass it before March 23, when the fifth stopgap funding measure of the fiscal year expires.

The bipartisan budget deal enacted last month freed up an additional \$143 billion for discretionary programs in fiscal 2018 — \$80 billion for defense and \$63 billion for nondefense accounts.

Many of the spending bills have essentially been agreed to by appropriators in both parties and both chambers, at least as far as funding levels. But there are still disagreements to be sorted out ahead of release.

Guns on the Floor

Roll Call LIVE Spring GradFair March 22, 2018 | 5:30 - 7:30pm U.S. Capitol Visitor Center REGISTER GradFair.RollCall.com

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More Politics

No GOP Candidates Step Up to Challenge Sen. Dianne Feinstein

Former Rep. Hoeffel Sees Opportunity in New Pennsylvania

The House is set to vote this week on a bill aimed at curbing gun violence at schools. The move comes nearly four weeks after a gunman killed 17 at a high school in Florida and the subsequent mobilization of students across the country calling for more stringent gun control.

The legislation, sponsored by Rep. John Rutherford (https://media.cq.com/members/99885?utm_source=memberLink), R-Fla., would amend the Omnibus Crime Control and Safe Streets Act of 1968 in order to focus on “training to prevent student violence against others and self, including training for local law enforcement officers, school personnel, and students,” as well as “the development and operation of anonymous reporting systems for threats of school violence,” which would include mobile apps, hotlines, and websites.” It would also reauthorize the Community Oriented Policing Services Secure Our Schools grant program through fiscal 2028 and increase the grant amount to \$50,000 from \$30,000.

Senate Majority Leader Mitch McConnell (https://media.cq.com/members/202?utm_source=memberLink), R-Ky., is facing pressure to schedule a vote on gun-related legislation backed by President Donald Trump and enough senators to clear the Senate. The bill from Majority Whip John Cornyn (https://media.cq.com/members/14833?utm_source=memberLink), R-Texas, and Christopher S. Murphy (https://media.cq.com/members/25516?utm_source=memberLink), D-Conn., that would enforce existing law related to the National Instant Criminal Background Check System had 60 additional co-sponsors as of Friday, an aide confirmed.

The White House on Sunday unveiled its priorities for legislation designed to prevent additional gun massacres at schools, but excluded an increase in the minimum age to purchase assault rifles as Trump has endorsed.

The administration’s priorities list includes using federal dollars to give “interested” teachers firearms training and the creation of a blue-ribbon commission headed by Education Secretary Betsy DeVos to study school safety and violence.

Administration officials, who briefed reporters in a conference call, said Trump is calling on Congress to send him two Senate bills. The first is a the Cornyn-Murphy measure. The second is a bill by Sen. Orrin G. Hatch (https://media.cq.com/members/493?utm_source=memberLink), R-Utah, that would provide federal grant funding to train teachers in identifying threats, technology such as door locks and metal detectors, and development of threat assessment teams, according to Andrew Bremberg, Trump’s Domestic Policy Council director.

Senate Stays on Banking Deregulation

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Work continues this week in the Senate on a bipartisan financial deregulation measure that got held up last week as Republicans and Democrats fought over which of the 141 amendments filed so far will be heard. Bill sponsor Michael D. Crapo

Trump Intensifies War on California’s Immigrant

Sergeant-At-Arms Prepares for New Role as Advocate for

For Harassment Cases, House Staffers Have Key Legal Resource

(https://media.cq.com/members/155?utm_source=memberLink), R-Idaho, is seeking to manage additions to the legislation without losing the votes of a dozen Democratic co-sponsors, reports Doug Sword.

What's in the bill? Besides changing the asset threshold for more stringent Fed regulation from \$50 billion to \$250 billion, the legislation would exempt banks with less than \$10 billion in assets from the Volcker rule, which bars federally insured banks from trading with depositors' money. One of the most criticized features of the bill was its exclusion of financial institutions that have made fewer than 500 mortgages a year for the past two years from a Dodd-Frank requirement to provide additional data to regulators. Some of that data was meant to help determine whether a bank used discriminatory lending practices.

Trying

House Energy and Commerce leaders Greg Walden (https://media.cq.com/members/402?utm_source=memberLink) and Michael C. Burgess (https://media.cq.com/members/14812?utm_source=memberLink) on Saturday released a revised version of a bill laying out the pathway for patient access to experimental drugs that have not cleared clinical trials.

The bill avoids further committee action and heads toward a House vote on Tuesday.

The Senate version, dubbed "Right to Try," championed by Sen. Ron Johnson (https://media.cq.com/members/32657?utm_source=memberLink), broadly allows access for someone with a "life threatening disease or condition."

The House bill revises the definition of an eligible illness, plus offers clarification of other provisions. Trump touted the bill in his State of the Union address earlier this year.

John T. Bennett and Joe Williams contributed to this report.

Watch Also: [The Veep: A Heartbeat Away from a Tie-Breaking Vote](#)

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Republicans Consider More Must-Pass Items for Spending Measures

White House legislative liaison points to leverage that came from adding CHIP



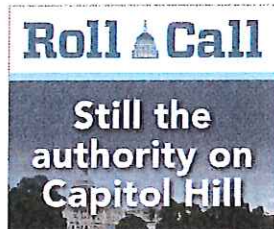
Signs outside of the Library of Congress in Washington on Jan. 21, 2018, notifying visitors that all Library of Congress buildings were to the public during the recent government shutdown. (Photo By Bill Clark/CQ Roll Call)

Republicans are considering attaching more of Democratic leaders' must-pass legislative items to stopgap spending measures to avert additional government shutdowns and close out funding for this fiscal year, says a senior White House official.

The possible strategy is, in part, a lesson from the most recent Washington funding fight, White House Legislative Affairs Director Marc Short said Monday. Attaching a six-year extension of the Children's Health Insurance Program to the continuing resolution Congress passed last week and President Donald Trump signed into law ending a three-day shutdown put pressure on Senate Democrats to relent.

[Rating Change: New Jersey Open Seat Shifts to Toss-Up]

For months, White House officials, congressional leaders and members of the Appropriations committees have said a deal on defense and domestic spending caps allow the spending panels to craft a government-wide spending bill for fiscal 2018 is close. The federal apparatus is operating on a stopgap, with more short-term measures likely to come.



Short, a Washington veteran who is a cool and calm messenger for Trump on Capitol Hill and national television appearances, grew a bit animated when asked what is holding up a deal.

"The budget deal's there. The budget deal's there," Short told Roll Call in an interview in his second-floor West Wing office.

"The holdup is we cannot move to it until we get 10 votes from [Senate] Democrats. There's not enough votes on a motion to proceed to it until Democrats are willing to say we can do that," Short said, referring to Senate rules designed to encourage consensus that require 60 votes to cut off debate.

Short, a former congressional aide who was chief of staff of the House GOP conference when Vice President Mike Pence was its chairman, said it was the fault of House Minority Leader [Nancy Pelosi](#), D-Calif., and Senate Minority Leader [Charles E. Schumer](#), D-N.Y.

"What Schumer and Pelosi have said to their conference is, 'We need four things done all at once: We need SCHIP; we need [Deferred Action for Childhood Arrivals], we need budget caps; and we need the disaster-relief package.'"

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White House and congressional GOP leaders believe "in essence, on the last CR, we peeled off the CHIP bill," Short said, arguing that Democrats "felt the pressure of" to relent on the shutdown because of it and "I think we might have to start picking them off one-by-one."

[Gardner as Trump Scold? Why It Makes Sense — and Why It Doesn't]

The possible strategy could come into play as soon as Feb. 8, when the existing stopgap expires. "My worry is that they're (Democrats) not looking to shut down the government next time — they're just looking to do CRs," Short said.

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Presidential budgets are pointless these days. Especially Trump's.



By Stan Collender February 13 at 6:00 AM

[Follow @thebudgetguy](#)

Stan Collender is a Forbes contributor and teaches at the McCourt School of Public Policy at Georgetown University.

The Trump administration's 2019 budget, which was sent to Congress on Monday with the usual fanfare and hoopla (but no parade), was not only the most inconsequential presidential budget of your lifetime, but possibly the least important in U.S. history.

It's an American political tradition for Congress to consider every president's budget as "dead on arrival," even if that budget — like this one — is submitted to a supposedly politically friendly House and Senate. Trump's new budget was doomed long before it ever reached Capitol Hill because it included big proposed spending cuts in very popular domestic programs the Republican-controlled Congress was never going to consider, especially in an election year. It even proposed reductions in the additional domestic spending Congress and the president agreed to just a few days ago.

Presidential budgets aren't about economic policy; they're about political spin.

The release of the budget typically gives the White House the chance to dominate several news cycles, no matter how unrealistic its agenda might be.

Until the start of the Reagan administration, the media and interest groups were given copies of the president's budget and briefed in advance of its formal release. But these days, the administration doesn't say much (or says it only to a select few) before its budget is public. By the time reporters, columnists, pundits and those who would be affected by the federal budget have a chance to see, understand and comment on what the president is proposing, the White House has issued its own statements; the director of the Office of Management and Budget, secretary of the treasury and other economic representatives have given dozens of interviews; and the headlines have all screamed what the White House wants them to say. The budget rollout also often includes a highly choreographed set of speeches and congressional testimonies for the president and select Cabinet members that for the rest of the week will take the White House's spin to local audiences and media markets. And if all goes well, the budget will be a big topic of conversation on the next weekend's political talk shows.

But the budget Trump put out this week is an even more obvious political ploy than most.

Just three days before the Trump budget was released, Congress passed, and Trump signed, legislation that made its top- and bottom-line numbers incorrect by between \$400 billion and \$600 billion, not a small amount that can be dismissed as a rounding error. And if the White House is being honest, the deal also changed the projected deficit and debt, and the economic forecast — none of which were actually updated in the budget documents the administration put out Monday.

Faced with this credibility problem, it would have made sense for the Trump administration to delay releasing its budget so the new numbers could be fully incorporated. It's not likely there would have been many complaints from Capitol Hill: Friday's deal had made the Trump proposal largely irrelevant, and Congress still needs until late March to finish work on the final decisions for fiscal 2018 before it can turn its attention to 2019.

But the administration decided to move ahead with its original budget, instantly transforming it from politically irrelevant to largely useless. The "addendum" on the budget deal the White House sent Congress along with its


proposal explained only the president's preferences for how the additional military and domestic dollars agreed to last Friday should be spent and not how that spending would affect the overall deficit picture.

The Trump 2019 budget is so out-of-date that it will probably be forgotten by Sunday. In the meantime, however, the proposal got covered extensively, even though it was built on incorrect numbers. No doubt the White House was pleased: Even its nonsensical budget produced what Trump aides very likely considered politically helpful headlines.

The president was first required to submit an annual budget almost a century ago when the Budget and Accounting Act was adopted to provide better information for Congress to use when making taxing and spending decisions. But for at least the past 30 years, Congress has more or less done what it wanted to do on spending, working with the administration on specific bills or proposals but not consulting the White House's budget for much along the way.

Maybe now it makes sense to change that 96-year-old law so that the president's budget is no longer required. It might even be best to prohibit it entirely.

 **1 Comment**

Stan Collender is a Forbes contributor and teaches at the McCourt School of Public Policy at Georgetown University.  Follow @thebudgetguy

This Is The Real Reason The GOP Doesn't Want To Do A Budget This Year



Stan Collender, CONTRIBUTOR

[FULL BIO](#) ▾

Opinions expressed by Forbes Contributors are their own.

House and Senate Republicans, who should be [jonesing](#) to pass a budget this year, are instead running away from doing that as fast as they possibly can. In spite of the legal requirement that Congress adopt an annual budget resolution, the GOP is increasingly likely to violate federal law by refusing to do one this year.

The White House and congressional GOP insisted the big tax cut bill would pay for itself so there would be no negative impact on the federal deficit or national debt. They also said the Trump/GOP economic plans would result in a balanced budget within 10 years. [The fiscal 2019 budget resolution](#) — the one Congress is supposed to debate and adopt this year — would be the first one considered since the tax bill was enacted and, therefore, the first with projections that should validate and confirm those promises.

That means House and Senate Republicans should be rushing to get it done, take another victory lap and prove themselves to be budget seers, sages, oracles and truth tellers.

But the GOP is doing the exact opposite.

Senate Majority Leader Mitch McConnell (R-KY) was [the first high-level Republican to say](#) Congress might not even consider let alone adopt a budget resolution this year. Then, at the GOP retreat last week, in what was close to his first official act as the new chairman of the House Budget Committee, Rep. Steve Womack (R-AR), let it be known [that he and his committee had much better things to do](#) than a 2019 budget resolution.

[Not doing a budget resolution means there can't be reconciliation, and without reconciliation the biggest parts of the GOP's legislative agenda will be virtually impossible to enact.](#) This includes a "technical corrections" tax bill, House Speaker Paul Ryan's (R-WI) intense desire to cut Medicaid and other mandatory programs and most of the Trump infrastructure plan. It also means that the White House and congressional Republicans have to give up whatever remains of their plan to repeal the Affordable Care Act. In other words, the GOP can't be making the decision not to do a budget — basically the equivalent of admitting that Congress and the White House aren't going to accomplish much of anything significant this year — without a great deal of thought.

So why isn't the GOP going to do a budget? Because the vote on the 2019 budget — the last one Congress will consider before the 2018 midterm elections — [will reveal that all the Republican promises on the deficit and debt, including its blind belief on dynamic scoring, were completely bogus.](#)



Expect A Lame Duck Session Of Congress



Stan Collender, CONTRIBUTOR

[FULL BIO](#) ▾

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Andrew Harrer/Bloomberg

It's only February and more than seven months away from the start of fiscal 2019 on October 1. Congress and the White House should, therefore, have all the time they need to enact the 12 appropriations for the coming year and avoid a lame duck session after the election, right?

Wrong: A continuing resolution that funds the federal government from October 1 until around mid-December is already easy to predict and that alone makes a lame duck session this year all but inevitable.

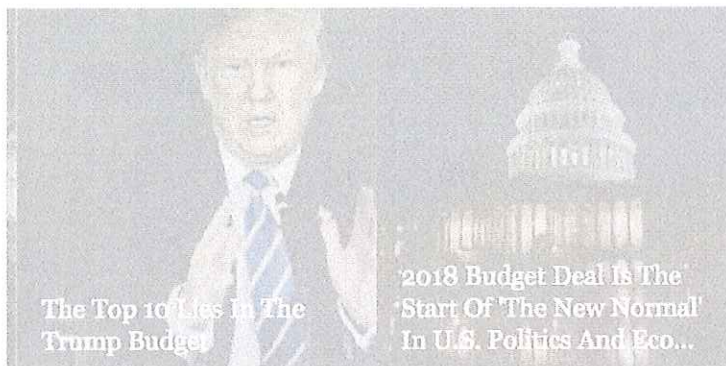
The current continuing resolution for this year -- fiscal 2018 -- expires on March 23 and Congress and the White House are very likely to take at least until then -- yet another CR is very possible -- to enact the remaining (that is, all of them) appropriations.

(Theoretically, Congress could move faster but...let's be real.)

The House and Senate Appropriations Committees **may start to hold hearings on fiscal 2019 spending before March 23** but in recent years those have largely been **pro forma and theatrical** rather than **serious and important**. The real work won't begin until after 2018 is out of the way. Let's say that happens on or about April 1.

That leaves 6 months as the legislative **crow flies** to get all of the 2019 work done by the start of the fiscal year. But this is an election year and the Republican congressional leadership has scheduled multiple week-long recesses so the GOP representatives and senators running for reelection can get back for their respective district and state "work weeks." In fact, **the House is not scheduled to be in Washington for 12 weeks -- 3 months -- between April 1 and October 1**. The Senate is only **scheduled** to be in session 2 weeks longer than the House over this same period.

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So there are really only three months left for Congress to do all of the fiscal 2019 appropriations before the federal government turns into a pumpkin at midnight, October 1.

And even that overstates the time that will actually be available for Congress to do legislative work given its tendency to schedule the

most important debates and votes between noon on Tuesday and noon Thursday of weeks when they're in session. That takes away another 45 to 60 days.

In other words, as of today, effectively there is only about a month and a half before fiscal 2019 begins.

This would be adequate if House and Senate Republicans and Democrats were working together, if the Trump White House had strong legislative skills and if it weren't an election year where control of both houses of Congress was in question. Given that none of those is the case, that immigration will very likely take up a great deal of time and political energy and that the spending levels just agreed to in the budget deal are unacceptable to some (Can you say House Freedom Caucus and the administration?), it's easy to conclude that there won't be anywhere close to enough time for Congress to do anything on appropriations before fiscal 2019 begins.

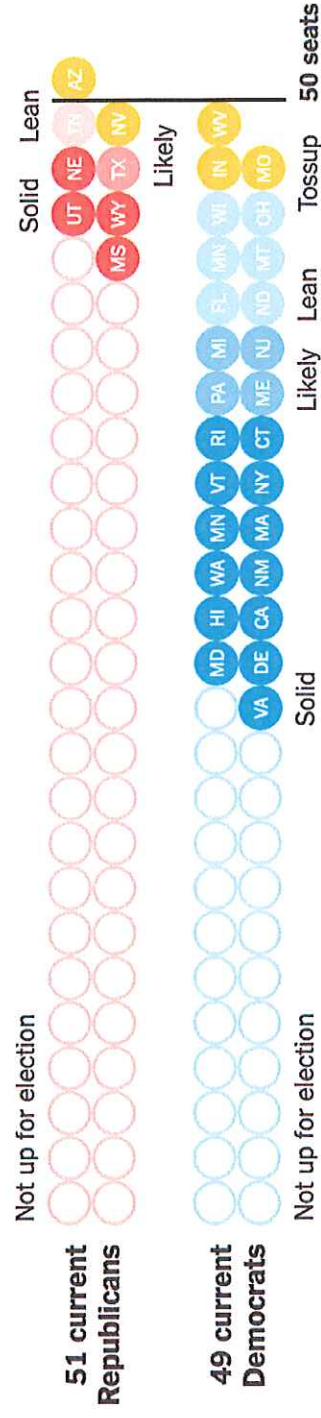
That makes the need for a continuing resolution an almost certainty and virtually guarantees that Congress will return to Washington for lame duck session after the election.

It's even possible that, facing this reality, the GOP leadership will try to enact a CR in July and then just stay in recess from August 1 until the week after Election Day.

Follow Stan Collender on Twitter at [TheBudgetGuy](#)

Democrats Need to Win 28 Seats to Control the Senate. Republicans Need Only 8.

By JASMINE C. LEE and ALICIA PARLAPIANO FEB. 7, 2018



This election year, the political climate favors Democrats.

President Trump is historically unpopular, and “generic ballot” polls, which are good predictors of the House popular vote, show that more voters would currently choose a Democrat over a Republican in their congressional districts.

But in the Senate, Democrats and the independents who caucus with them have significantly more seats to defend: 26 compared with eight held by Republicans. For Democrats to take control of the chamber, they must keep all of their seats and win two of the Republican seats in play. It is numerically possible, but there is little room for error.

Big Republican Advantages Are Eroding in the Race for House Control

Retirements and reversals in gerrymandering give Democrats a clearer path to a majority.

By **Nate Cohn** Feb. 12, 2018

The Democratic advantage on the generic congressional ballot [has slipped](#) over the last few weeks. But Republicans have gradually lost advantages of their own.

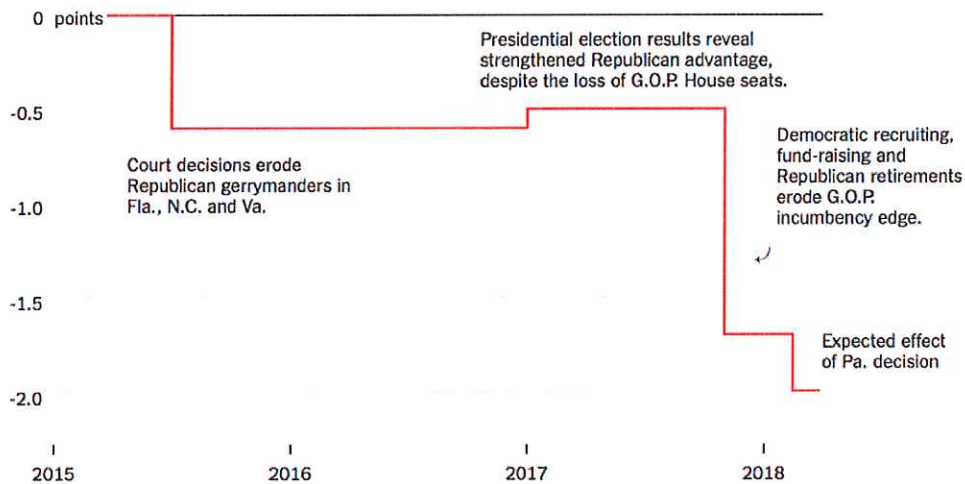
Slowly but surely, the considerable structural advantages — like incumbency, geography and gerrymandering — that give the Republicans a chance to survive a so-called wave election are fading, giving Democrats a clearer path to a House majority in November.

The Republicans still retain formidable advantages, enough to win the House while losing the national popular vote by a wide margin. But their edge has shrunk considerably over the last few months, and even more over the last few years.

Republican Structural Advantages Fade

Estimated decline in the advantage that Republicans have in the generic congressional ballot

Estimated change since 2015



Source: Upshot estimates based on recent congressional and presidential elections, congressional fundraising and biographical information.

One way to think about it is how well Democrats would need to do on the generic ballot — a poll question that asks voters whether they'll vote for Democrats or Republicans for Congress — to win the House. A bigger Republican structural advantage means the G.O.P. can withstand a larger Democratic advantage on the generic ballot.

By this measure, the Republican advantage has probably dropped by about two percentage points since 2014, when Republicans won the party's largest House majority since 1929.

Since then, four court rulings have softened or even torn up Republican gerrymanders in four big states: Florida, North Carolina, Virginia and most recently Pennsylvania, where the state Supreme Court struck down the congressional map last month.

The decisions in Florida, North Carolina and Virginia have already cost the Republicans a net of three House seats while generally eroding their position elsewhere in those states, giving Democrats better opportunities in 2018.

It's too early to have a good idea of how much Republicans might lose in Pennsylvania, but it is reasonable to expect that the new map will cost the party at least one seat and erode its position in several others.

Gerrymandering is not the only reason Democrats are at a disadvantage. Republicans also have [the advantage of incumbency](#), which, on average, allows members to run about seven percentage points ahead of the national party.

But Republicans have gradually been losing the advantages of incumbency as well, most obviously [because of 34 recent retirements](#) in Republican-held congressional districts.

Over all, the number of G.O.P. retirements in plausibly competitive districts isn't extraordinarily high. But some of the Republican retirements have been especially damaging: longtime incumbents who have a tradition of running far ahead of the national party and dissuading strong challengers, like New Jersey's Frank LoBiondo or Pennsylvania's Charlie Dent. Their retirements could easily be the difference between a non-competitive race and a Democratic victory.

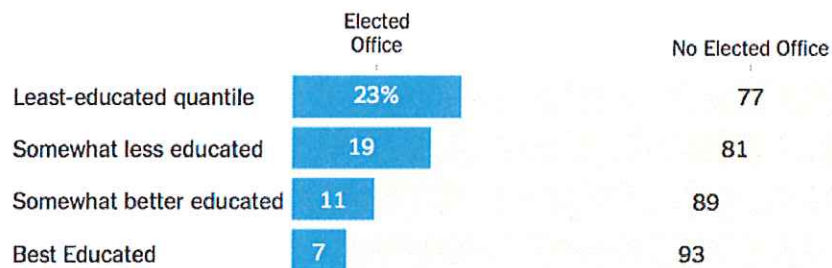
The Republican incumbency advantage has diminished in another way: [Democratic recruitment and fund-raising](#). A strong Democratic recruit — like a military veteran or an elected official — can cut into that advantage, especially with strong fund-raising numbers.

As measured by biographical indicators like military experience or past elected officials, Democratic recruitment is only somewhat above average at this stage. But much like the Republican retirements, the best Democratic recruits have often been extremely valuable.

Often, Democrats have succeeded in finding their very best candidates in white working-class districts where President Trump fared well in 2016. His strength threatened to move many traditional battlegrounds into the Republican column. The Democratic path to a House majority arguably looked even more difficult after the 2016 presidential than it did before — even though Democrats picked up seven seats in that election, since so many traditional battleground districts swung hard for Mr. Trump.

Democrats Find Experienced Recruits in Less Educated Areas

Many of the best Democratic recruits have been in less educated areas



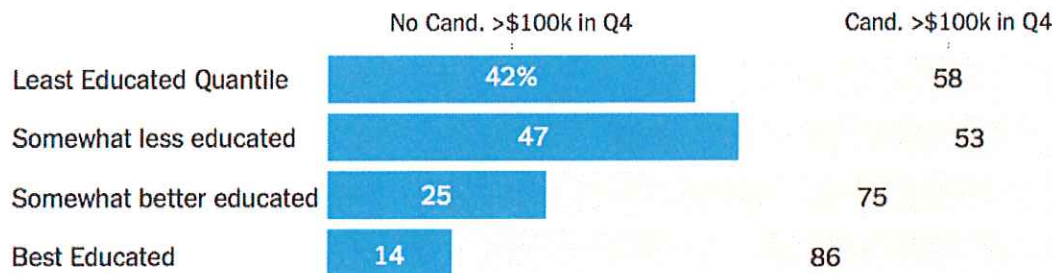
Sources: Candidate biography pages; news reports

But strong Democratic recruiting in Trump Country has kept many traditional battlegrounds on the list, like Illinois' 12th or Kentucky's Sixth. The Democrats might have an easier time finding qualified and experienced recruits in white working-class districts in part because Democrats have a track record of winning there, and therefore a deeper bench, even if Mr. Trump won a particular district.

In contrast, the Democrats don't have much of a bench at all in many of the well-educated but traditionally Republican districts where Mr. Trump struggled the most. Here it's the Democratic fund-raising that is most impressive. Last quarter, 134 Democrats in 83 districts raised at least \$100,000 in individual contributions. Those successes have been disproportionately concentrated in well-educated areas.

Democrats Have Big Holes in Less Educated Districts

In many key, less educated districts, like New York's 24th or California's 21st, the Democrats don't yet have a strong candidate.



It's the working-class districts where Democrats are likeliest to have true recruiting holes, like New York's 24th or California's 21st. That might seem somewhat odd because Democrats have had so much success luring top-tier candidates in working-class districts.

In fact, Democrats do have well-qualified, potential candidates in these districts, like the state assemblyman Rudy Salas or the former Syracuse mayor Stephanie Miner, but many aren't running. (Mr. Salas hasn't entered the race in California's 21, and Ms. Miner [has decided not to run](#) in New York's 24th.) It seems these areas may not be stocked with ambitious, well-to-do and well-connected liberals eager to run when an elected official doesn't step forward.

Even so, Democrats still seem poised to have viable if imperfect candidates in a large number of battleground districts. Upshot estimates indicate that Democrats would need to win the popular vote by 7.4 points — albeit with a healthy margin of error of plus or minus more than four points — to take the House. Today, most estimates put the generic congressional ballot [very near that number](#). So far from the election, the fight for control remains a tossup.

Nate Cohn is a domestic correspondent for The Upshot. He covers elections, polling and demographics. Before joining The Times in 2013, he worked as a staff writer for The New Republic. [@Nate_Cohn](#)

Education Secretary Betsy DeVos stumbles during pointed '60 Minutes' interview

By Valerie Strauss March 12 at 1:36 AM

Education Secretary Betsy DeVos appeared on CBS's "60 Minutes" Sunday night and stumbled in answering questions that journalist Lesley Stahl asked during a pointed interview.

Stahl repeatedly challenged the education secretary, at one point suggesting that DeVos should visit underperforming public schools to learn about their problems. DeVos responded, "Maybe I should." The secretary also said she is "not so sure exactly" how she became, as Stahl described her, "the most hated" member of President Trump's Cabinet but believes that she is "misunderstood."

These are just some of the things that DeVos said — or couldn't answer — during the interview:

- She couldn't say whether the number of false accusations of sexual assault on school campuses is lower than the number of actual rapes or assaults.
- Arming teachers "should be an option" for states and

communities, she said, even though she couldn't "ever imagine" her first-grade teacher, Mrs. Zorhoff, having had a gun.

- "We have invested billions and billions and billions of dollars from the federal level, and we have seen zero results," DeVos said — a statement Stahl challenged.
- "I hesitate to talk about all schools in general because schools are made up of individual students attending them."
- In reference to the #MeToo movement, she said she experienced moments decades ago that "today would just be viewed as unacceptable."

DeVos, who rarely gives interviews to journalists, is a longtime school choice advocate who once said that traditional public education is "a dead end," and she has made clear that her top priority as the nation's education chief is expanding alternatives to traditional public schools. She is a champion of using public funds for private and religious school education, and critics say she is determined to privatize public education. DeVos has denied that.

DeVos, a billionaire who has spent millions of dollars on school efforts in her home state of Michigan, has been perhaps the most controversial of Trump's Cabinet members. She became the first Cabinet nominee in history to need a tie-breaking vote from the vice president to be confirmed by the Senate. Her January 2017 confirmation hearing before the Senate education panel was marked by her inability to answer basic questions about education.

In the "60 Minutes" interview, more than a year after becoming education secretary, DeVos again had trouble answering questions and seemed to contradict herself. For example, she and Stahl had this conversation about what happens to underperforming traditional public schools when children leave for alternatives and take funding with them:

STAHL: Why take away money from that school that's not working — to bring them up to a level where they are, that school is working?

DEVOS: Well, we should be funding and investing in students, not in school, school buildings, not in institutions, not in systems.

STAHL: Okay. But what about the kids who are back at the school that's not working? What about those kids?

DEVOS: Well, in places where there have been, where there is, a lot of choice that's been introduced, Florida, for example, the studies show that when there's a large number of students that opt to go to a different school or different schools, the traditional public schools actually, the results get better, as well.

STAHL: Now, has that happened in Michigan? We're in Michigan. This is your home state.

DEVOS: Yes, well, there's lots of great options and choices for students here.

STAHL: Have the public schools in Michigan gotten better?

DEVOS: I don't know. Overall, I, I can't say overall that they have all gotten better.

STAHL: The whole state is not doing well.

DEVOS: Well, there are certainly lots of pockets where this, the students are doing well and ...

STAHL: No, but your argument that if you take funds away that the schools will get better is not working in Michigan, where you had a huge impact and influence over the direction of the school system here.

DEVOS: I hesitate to talk about all schools in general because schools are made up of individual students attending them.

STAHL: The public schools here are doing worse than they did.

DEVOS: Michigan schools need to do better. There is no doubt about it.

STAHL: Have you seen the really bad schools? Maybe try to figure out what they're doing?

DEVOS: I have not, I have not, I have not intentionally visited schools that are underperforming.

STAHL: Maybe you should.

DEVOS: Maybe I should. Yes.

And there was this exchange about DeVos and her popularity — or, rather, lack of it:

STAHL: Why have you become, people say, the most hated Cabinet secretary?

DEVOS: I'm not so sure exactly how that happened. But I think there are a lot of really powerful forces allied against change.

STAHL: Does it hurt?

DEVOS: Sometimes it does. Sometimes it does. Again, I think, I think ...

STAHL: Do you ever say ...

DEVOS: I'm more misunderstood than anything.

Stahl asked DeVos about her decision last year to rescind Obama-era Title IX

BETSY DEVOS CALLS "60 MINUTES" A WASTE OF A HALF HOUR

By Andy Borowitz March 12, 2018



Photo: © AP/Wide World

WASHINGTON (The Borowitz Report)—Furious about her treatment on the CBS news-magazine program on Sunday night, Betsy DeVos spoke to reporters on Monday, and called "60 Minutes" a "total waste of a half hour."

"I had never watched '60 Minutes' before, but I can tell, you this, I will never watch it again," the Education Secretary said. "I have better things to do with a half hour of my time."

Calling her interviewer, Lesley Stahl, a practitioner of "gotcha journalism: at its worst," DeVos said that it was "very unfair of her to ask me so many questions about education."

"She asked me one thing about schools, and then another, and another," she said. "If I had to answer every question she had about schools, I would have had to bone up on education for a month."

DeVos said that she was "frustrated" that Stahl neglected to ask her about any of her "really good ideas" for the nation's schools, such as "purchasing guns for teachers with money that is currently being wasted on books."

"If a bear comes into your classroom, throwing a book at him will only stun him momentarily, at best," DeVos said.

Andy Borowitz is the New York Times best-selling author of "The 50 Funniest American Writers," and a comedian who has written for The New Yorker since 1998. He writes the



guidelines on how schools should handle sexual assault allegations. DeVos, saying that too many men were falsely accused, set new rules making it harder for accusers to prove their accusations.

STAHL: Are you in any way, do you think, suggesting that the number of false accusations are as high as the number of actual rapes or assaults?

DEVOS: Well, one sexual assault is one too many, and one falsely accused individual is one too many.

STAHL: Yeah, but are they the same?

DEVOS: I don't know. I don't know. But I'm committed to a process that's fair for everyone involved.

2146 Comments

Valerie Strauss covers education and runs The Answer Sheet blog. Follow @valeriestrauss

FOR IMMEDIATE RELEASE:

March 8, 2018

For more information, contact:

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Organizations Representing Military Families, Native American Students and Public Schools Oppose Bills to Repurpose Impact Aid as Education Savings Accounts

(WASHINGTON, DC) — The National Association of Federally Impacted Schools (NAFIS), the National Military Family Association (NMFA), and the National Indian Education Association (NIEA) oppose House and Senate versions of the Education Savings Accounts for Military Families Act of 2018 — bills that would undermine public schools, jeopardize the education of students and increase the taxpayer burden. The bills would fundamentally change the purpose of Impact Aid from a tax reimbursement that supports an entire community to an education savings account, a voucher scheme that offers minimal accountability over taxpayer dollars or protections for students and families.

NAFIS, NMFA and NIEA urge Congress to say no to these bills.

“These bills are a bad deal for families, students and taxpayers,” said NAFIS Executive Director Hilary Goldmann. “Diverting Impact Aid funding from public schools will undermine the education and support systems for federally connected students — children of service men and women and students who live on Indian lands — and disregards taxpayers. Impact Aid funds are targeted to school districts with the highest concentrations of students and local tax effort. Any analysis that suggests these bills will have a minimal impact fails to understand school district budgeting and financing and the extent to which some communities are impacted by the federal government. These bills turn this approach on its head, siphoning funds to a select few.”

Impact Aid is a partnership between local communities and the Federal Government where there is significant nontaxable property, such as military installations, Indian treaty or trust land, low-rent housing facilities, national parks and laboratories. Turning Impact Aid into an ESA reneges on the Federal Government’s responsibility to local taxpayers in federally impacted school districts and would financially hamstring the schools tasked with educating students in these communities.

“Impact Aid is a vital resource for local public schools, which serve the vast majority of our Nation’s 550,000 school-age military children,” said National Military Family Association Executive Director Joyce Raezer. “While the idea of a voucher for military-connected kids might be appealing on the surface, using Impact Aid to fund such a program is a bad deal for military families and a disaster for public schools across the country. We owe military families the assurance that their schools receive the resources to provide the quality education our military children need and deserve.”

“Impact Aid is a critical part of the Congressional obligation to fulfill the Federal trust responsibility for Native students—it compensates school districts for Indian treaty and trust lands that cannot be taxed,” said Ahniwake Rose, Executive Director of the National Indian Education Association. “We oppose this legislation because it would undermine funding for Impact Aid for all students who benefit from the program, starting with students from military families and including Native students. The proposal also fails to provide adequately for tribal consultation, which is essential for NIEA and tribes across the country. We stand in strong support of keeping the program intact so it can provide the funding to hire the teachers, provide the supplies, and operate the schools necessary to effectively educate Native students and all the students who benefit from this essential program.”

“Impact Aid works,” said Goldmann. “A better way to support military-connected students would be to fully fund the Impact Aid program.”

The National Association of Federally Impacted Schools is a nonprofit, nonpartisan association of school districts located across the United States. Founded more than 40 years ago, the association works to ensure the needs of the federally impacted school districts, and the children they educate, are met through adequate Federal funds.

The National Military Family Association is the leading nonprofit dedicated to serving the families who stand behind the uniform. Since 1969, NMFA has worked to strengthen and protect millions of families through its advocacy and programs. They provide spouse scholarships, camps for military kids, and retreats for families reconnecting after deployment and for the families of the wounded, ill, or injured. NMFA serves the families of the currently serving, veterans, retired, wounded or fallen members of the Army, Navy, Marine Corps, Air Force, Coast Guard, and Commissioned Corps of the USPHS and NOAA.

The National Indian Education Association (NIEA) was formed by Native educators in 1969 to encourage a national discourse on Native education. For 47 years, NIEA has hosted an annual convention to provide a forum for collaboration. NIEA adheres to the organization’s founding principles - to bring Native educators together to explore ways to improve schools and the education of Native children; to promote the maintenance and continued development of Native languages and cultures; and to develop and implement strategies for influencing local, state, and federal policy and policymakers.

#

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Sunday, September 17, 2017

Top 10 Reasons Public Schools are the BEST Choice for Children, Parents & Communities by Steven Singer



Originally posted at: <https://gadflyonthewallblog.wordpress.com/2017/09/15/top-10-reasons-public-schools-are-the-best-choice-for-children-parents-communities/>

Everywhere you look today you'll find ~~profits~~ prophets of doom bemoaning the quality of our public school system.

We've got too many failing schools, they say. [The only thing to do is to invest in private and privatized institutions – vouchers, charters, ANYTHING but public.](#)

But as [education professors Christopher and Sarah Lubienski](#) wrote in their landmark book "*The Public School Advantage: Why Public Schools Outperform Private Schools*" there's little evidence behind the hype. Public schools are far from perfect, but even given their deficiencies, they have benefits that far outweigh those of privatized schools. Indeed, market-based educational reform, wrote the Lubienskis, is "increasingly a belief system rather than a policy theory."

Privatized schools are sometimes great at [boosting standardized test scores](#), but when it comes to [authentic indicators of student learning](#), they often fall well behind their traditional public school counterparts.

And [when you stop to consider things like finances, accountability, self-governance, social justice and life-long learning](#), then public schools prove themselves to be a much better choice than any privatized system.

Clearly we're speaking in generalities here. Every school – public or privatized – is different. But there is enough commonality to identify certain trends between each type of school to make general conclusions about each category. In short, despite any media or political propaganda to the contrary, public schools come out on top.

Here are the top 10 reasons public schools are the best choice for children, families and communities

1) Public Schools Attract the Best Teachers

When choosing a school for your children, you want them to have the best teachers possible. You want life-long, committed educators – people who entered the profession as a calling, who dedicate their lives to young people.

This is not the case at many charter or private schools. [Their teachers often don't have the same high level of education](#), experience, or commitment. In many states, they aren't required to earn a 4-year degree from an accredited college, they routinely have less experience and higher turnover.

Compare that with public schools. With rare exceptions, teachers must have at least one bachelors degree in a specialized education field, and many have masters degrees or more. In addition, teacher turnover is much lower. This is partly because [public school teachers usually earn a higher salary than those at privatized schools](#). (It's still not comparable with professionals in other fields with similar levels of education, but it's better than they get at privatized schools.) In addition they have higher job satisfaction because of increased union membership, which enables greater stability and helps create a safer workplace for teachers and their students.

Think about it. If you were one of the best teachers in the country, wouldn't you want to work where you get the highest salary and benefits? Of course!

2) Public Schools Have a Greater Sense of Community

Most public schools have been around for a long time. [They are the heart of the communities they serve](#). They do so much more than just teach children. They host continuing education courses for adults, extracurricular activities, sporting events, academic clubs, public swimming pools, open libraries, and invite the community for local events, concerts, seminars, etc.

This is rarely the case at privatized schools. Charters and private institutions are often fledgling startups. They're located in rented office spaces, renovated store fronts and other [locations chosen more for their cost benefits to investors](#) and not for their efficacy as places of education or community outreach.

Public schools have [histories that go back generations](#). Everyone in the community knows the teachers who work there. Parents often send their kids to the same educators who taught them when they were young. Sometimes this goes back to grandparents and even great grandparents. Older brothers can advise younger sisters what it was like to have this teacher or that principal. The kinds of relationships you get at public school just aren't there at institutions that model themselves on big box stores like WalMart and Target.

3) Public Schools Increase Educational Choice

Privatizers often talk about charters and voucher schools as if they are the only places that offer parents and students choice. It's simply untrue. [Many public school districts offer a tremendous amount of alternatives for students living in their neighborhoods](#). Larger urban districts often have magnet or theme schools. But even beyond that, most schools offer a wide variety of classes and curriculum. Students can take foreign languages, vo-tech, arts and humanities, independent studies, and advanced placement or college credit courses. Students can take advantage of a plethora of services designed to personalize their academic experience to meet their individual needs with special and gifted education, even choosing which teachers are the best fit for their learning styles.

Obviously, these options increase with the degree of wealth in a community, but they prove that increasing choice doesn't have to mean privatization. [It means equitable funding](#).

4) Public Schools Have Greater Diversity

Students learn a lot more than reading, writing and arithmetic in school. They also learn how to deal with different kinds of people – they learn to share this world with other humans from various racial, ethnic, religious, and sexual backgrounds. [The more diverse an environment they grow up in, the more well-adjusted they will be for the adult world](#), and the less racist, sexist and prejudiced they'll probably become.

Public schools are often a sea of diversity. They are the best place to meet the entire spectrum of humanity. On the other hand, [charter and voucher schools are routinely segregated and homogenous](#). Sometimes privatized schools make efforts to fight against this, but you can't make much headway when your entire system is based on sorting out the underprivileged in favor of white, affluent children whose parents can afford tuition (private schools) or poor black but high achieving children (charter schools).

5) Public Schools Are More Fiscally Responsible

[Public schools spend their money more wisely than privatized schools](#). They have to! Their records are an open book. All the spending decisions happen in public view. And the law requires that all expenses must relate to educating children.

Privatized schools rarely do this, and if they do, it's by choice not necessity. They could close their books any day, make whatever decisions they like behind closed doors and layout bundles of cash for their CEOs or investors. [Privatized schools are for-profit. Even when they aren't explicitly labeled as such, they usually operate in the same way – cut student services to increase the bottom line. Their explicit goal is to make money off your child – not simply earn a middle class income like public schools. No, they want to get rich off of your dime.](#)

[Privatizers buy mansions and yachts with your money](#). Public school teachers pay off their mortgages. And in the rare instances where public school employees break the law and try to embezzle funds, they are much more likely to be caught because the books are right there for all to see.

6) Public Schools Are More Reliable

When you send your child to most privatized schools, [you never really know if it's going to be there tomorrow](#). Charter schools [often close without a moments notice](#). Private schools declare bankruptcy.

If there's one thing you can be reasonably sure of, it's that your neighborhood public school will still be there. It's been there for decades, sometimes hundreds of years. Charter and voucher schools are often fly-by-night affairs. Public schools are solid bedrock. If public schools close, it's only after considerable public comment and a protracted political process. No one ever shows up to find the local public school chained shut. [Not the same at charters or private schools](#).

7) Public Schools Have Greater Commitment to Students

Charter and vouchers schools [don't have to accept your child](#). Public schools do.

When you enroll in a privatized school, [the choice is all up to administrators](#). Is your child a safe bet? Can they let your little one in without breaking the bank? Will he or she make the school look good with better test scores? Will he or she be easy to educate?

Public schools, on the other hand, have a commitment to educating every child who lives in the district. They even take homeless children. Only under the most extreme circumstances would they expel a young person. No matter who your offspring is, no matter how good or bad a student, public school operators have faith they can help the youngster succeed.

8) You Have Ownership of Public Schools

With privatized schools, you're paying for a business to provide services. Public schools belong to you. In

fact, you're the boss.

Public schools are run by your friends, neighbors and co-workers. Privatized schools are most often run by appointed boards of directors who are not beholden to you but to the investors. [As education blogger Peter Greene puts it](#), "The charter is a business, run by people who don't ever have to let you into their board room."

In addition, [many public schools go beyond even this level of parental involvement](#). They more often have PTAs or PTOs. They have advisory councils where elected parents, teachers and community members can work together to advise the school board on important matters like hiring superintendents. If parents and the community want a voice, the public school system is overflowing with options. Ironically, the community rarely has any say over privatized schools and parents can only vote with their feet.

9) Public Schools Provide More Amenities

[Public schools routinely offer so much more than privatized schools](#). At many charter and voucher schools, parents are required to buy supplies for the whole institution. Public schools accept donations and sometimes teachers ask for help, but if parents can't (or won't) send in pencils or tissues, the school provides it *gratis*. And even when the district is cheap in this regard, [teachers often make up the difference from their own pockets](#). It's not right that they have to do so, but they constantly step up for your children.

Moreover, [public schools offer a much expanded range of services for your children than privatized schools](#). Special education and gifted programs are first rate at public schools while often intermittent or nonexistent at privatized schools. And the requirements put on parents at public schools are much lower – less restrictive dress codes, fewer demands on parents' time and they take a greater responsibility for your children.

Heck, private schools rarely even pay for transportation. Public schools offer a free ride via the school bus from home and back again.

10) Public Schools Match or Outperform Privatized Schools

When it comes to academic performance, comparisons all come down to what data you think is indicative of student learning and which factors you exclude. You can find plenty of studies funded by privatizers that unsurprisingly conclude their backers business model is the best. However, when you look at [peer reviewed and nonpartisan studies](#), the story changes.

The Lubienskis, in particular, paint [an extremely compelling picture of public school superiority based on numerous complex statistical models](#) including hierarchical linear modeling and multivariate regression. In short, the authors conclude that after accounting for the demographic differences among various school sector populations, traditional public school students outperform those at private schools over time. Students typically enter public schools with much greater degrees of poverty than those entering private schools. As such, public school students start with greater academic deficiencies. Even so, public schools are able to make up for these deficiencies over time more easily than privatized schools. And by fourth grade, public school students actually have greater academic success than their demographically similar peers at private or charter schools. The Lubienskis call it "The Public School Effect."

With all these benefits, you'd think we'd be cheering on our public school system, not denigrating it. However, the failing schools narrative sells a lot of people on privatized alternatives. But it's not fact. It's marketing.

It's time someone explicitly outlined the benefits of our public schools. [We could be doing a lot more to help make them even better](#). But the first step is [recognizing what an asset these schools already are](#).

Public schools, they're what happens when we value children over profit.



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
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Faces of Impact Aid

How do you change the life of a student living in subsidized housing? Have them work with a high-quality teacher for as long as possible. That's what Impact Aid dollars are used for at Burr Ridge School District 180 in Burr Ridge, Illinois.

For the students in Burr Ridge schools, Impact Aid is not just a number in an appropriations bill...for our students Impact Aid is an additional twenty-minutes a day or nearly two more weeks of instruction per year. Impact Aid means small class sizes and after school tutoring twice a week for academically struggling students who happen to be near the poverty line. More time and quality student relationships lead to the clearly staged photo at the right when I went down to the after school reading club for a photo of students working to improve their comprehension and their futures.



These students were working hard to prepare for the next day's lessons, but when I asked to take a photo of their reading club, they spontaneously got out of their seats to take a photo surrounding their teacher. Although it was an hour after school let out they laughed and giggled, so no need to ask them to say "cheese". And then they were back at work. And the district academic scores are rising thanks to their work and Impact Aid dollars. In the last seven years the district has improved from the bottom 15% of schools in the state to nearly being in the top half of all districts.

Impact Aid provides for almost 5% of Burr Ridge C.C.S.D. 180's overall budget. These dollars help to provide approximately seven to eight teachers, low class size, a longer school day, after school tutoring and quite often smiles.

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Tom Schneider, Ed. D.

Superintendent

Burr Ridge CCSD 180

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At-risk students are aggressively recruited, and then counted as fully enrolled—even when they don't show up.

HEATHER VOGELL OCT. 10, 2017 6:00 AM



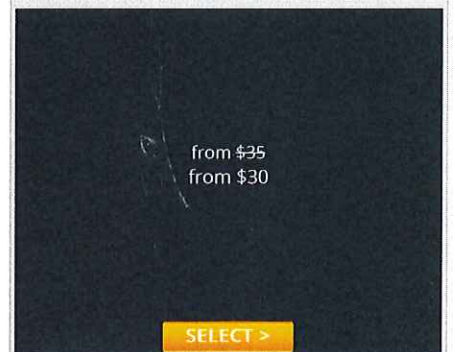
Sabrina Blevins, 18, says that her school, Capital High, hasn't dropped her from its rolls, despite her having missed school for weeks at a time because of her full-time job at McDonalds. She hopes to graduate this school year. **Andrew Spear for ProPublica**

This story was originally co-published by ProPublica and USA Today.

Last school year, Ohio's cash-strapped education department paid Capital High \$1.4 million in taxpayer dollars to teach students on the verge of dropping out. But on a Thursday in May, students' workstations in the storefront charter school run by for-profit EdisonLearning resembled place settings for a dinner party where most guests never arrived.

In one room, empty chairs faced 25 blank computer monitors. Just three students

sat in a science lab down the hall, and nine more in an unlit classroom, including



one youth who sprawled out, head down, sleeping.

Only three of the more than 170 students on Capital's rolls attended class the required five hours that day, records obtained by ProPublica show. Almost two-thirds of the school's students never showed up; others left early. Nearly a third of the roster failed to attend class all week.

Some stay away even longer. ProPublica reviewed 38 days of Capital High's records from late March to late May and found six students skipped 22 or more days straight with no excused absences. Two were gone the entire 38-day period. Under state rules, Capital should have unenrolled them after 21 consecutive unexcused absences.

Across the nation, roughly 6 percent of young people ages 16 to 24 are considered dropouts because they neither attend high school nor hold a diploma. Many more teeter on the brink of leaving.

Such schools aggressively recruit as many students as possible, and sometimes count them even after they stop showing up, a practice that can generate hundreds of thousands of dollars in taxpayer-paid revenue for empty desks. Auditors have accused for-profit dropout recovery schools in Ohio, Illinois and Florida of improperly collecting public money for vanished students. State officials in Ohio have twice chided Capital over indications of inflated enrollment numbers.

Told of ProPublica's findings, both Ohio's state auditor and its Department of Education said they would investigate Capital. EdisonLearning conceded extended absences are a "persistent challenge," but said it shares all student attendance records in "real time" with state education officials. If issues arise, the company said, it addresses and corrects them.

Though the school is largely funded on a per-student basis, the no-shows didn't hurt the school's revenue stream. Capital billed and received payment from the state for teaching the equivalent of 171 students full time in May.

U.S. Secretary of Education Betsy DeVos has championed charters and for-profit education, contending in congressional testimony that school choice can lower absenteeism and dropout rates. But at schools like Capital, a ProPublica-USA Today investigation found, the drop-outs rarely drop in—and if they do, they don't stay long.

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Capital High is part of for-profit EdisonLearning's Bridgescape chain, which seeks out students who have already dropped out or are about to. The charter school is publicly funded, but privately run. A third of students were absent the entire week when ProPublica visited. **Andrew Spear for ProPublica**

The school's program director, Monica Scott, defended her school's efforts to combat truancy, saying during a tour of the school that its "lockstep protocols for absences" include calls, visits and letters to parents. She said she urges students, who often have difficult home lives, to come to class. "I'm telling them you have to get your instructional hours," she said.

For those who arrive but head for the door shortly after, she added: "I do try to stop them."

Corey Timmons, 19, who graduated from Capital this spring, said he had complained to Scott about students coming and going as they pleased. Those who did show up often goofed around on their phones or got into arguments. "It's not really a school environment," he said.

Across the nation, roughly 6 percent of young people ages 16 to 24 are considered dropouts because they neither attend high school nor hold a diploma. Many more teeter on the brink of leaving. Their challenges include homelessness, domestic violence, bullying and learning disorders. They fall off the degree track by failing too many courses or skipping too many days.

Facing pressure over graduation rates and test scores, regular high schools often don't want these students. But they're welcome at publicly funded alternative schools.

So-called "dropout recovery" schools are increasingly popular, with many setting up shop in poverty-stricken city neighborhoods. In Chicago this past year, about 8,000 students attended such schools. In Ohio in the 2014-2015 school year, more than 16,000 students did, including some who attended online-only programs.

For-profit school management companies like Capital's parent, EdisonLearning,

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have rushed into this niche, taking advantage of the combination of public funding, an available population of students and lax oversight.

EdisonLearning and other for-profits sometimes sign contracts with local school districts to manage these dropout recovery schools. In Ohio and a few other states, though, companies have often operated them as charter schools, which are publicly funded but independently run. Nationwide, as of 2014, just 5 percent of all students attended charters, while 17 percent of alternative school students did.

Using call centers and other corporate tactics typically shunned in secondary education, the for-profit schools market and recruit intensely. They prod guidance counselors at traditional schools to send them failing students. They offer gifts and financial inducements to prospective students, as well as to pastors and current students who help reel in newcomers.

After pulling in students long enough to tap public money, many of the schools fail to keep them in class. In Ohio in 2016, for-profit companies ran nearly one-third of the state's 94 charter schools for dropouts—but three-fourths of the 20 with the highest absenteeism rates.

"They were trying to get the children in, but didn't know what the needs were," said Monique Newburn, a former EdisonLearning special education teacher who worked at one of its dropout recovery schools in Chicago.

And like Capital, many dropout recovery schools rely on low-cost, computer-based academic programs. Critics say such software allows students, without much guidance from teachers, to "show up a couple of times to make up what took 18 weeks" of regular instruction, said Walt Gardner, a former teacher in Los Angeles who writes about education. "Something is not right here."

Unlike traditional schools, [recovery schools] seek out the most unreliable students. They must hustle to attract enough enrollees, while traditional schools get a

The sector's practices, from call centers to online courses, are reminiscent of for-profit colleges. For years, the colleges have faced criticism over their use of aggressive tactics to hook minority and low-income students. They rake in public money despite their soaring dropout rates, questionable educational quality and failure to deliver the lucrative post-graduation jobs they promise.

EdisonLearning and its competitors say their curriculum and instruction are well-designed to help borderline students earn diplomas and avoid the

steady stream of kids from their residential zone.

devastating consequences associated with quitting high school, such as lifelong unemployment and underemployment. Even detractors acknowledge that rescuing dropouts is

difficult work, and a high rate of failure is likely.

Yet dropout recovery schools like EdisonLearning's have incentives to inflate enrollment counts. Unlike traditional schools, they seek out the most unreliable students. They must hustle to attract enough enrollees, while traditional schools get a steady stream of kids from their residential zone. During surprise visits, Ohio's state auditor found the gap between reported and observed enrollment was far greater in dropout recovery schools than in traditional schools. In 2015, auditors found, for-profits ran five of the seven dropout recovery schools with the biggest discrepancies.

Ohio doesn't have education money to spare for ghost students: This year's state budget froze or cut funding for most school districts.

In 2011, NBA Hall of Famer Earvin "Magic" Johnson signed on to spread word of EdisonLearning's newest enterprise: A chain of eight dropout recovery schools it had opened in Ohio the year before.

Johnson visited EdisonLearning schools and touted them in press conferences. Advertising urged students to "Join Magic's Team" and included local events, ads on bus benches and direct mail—along with local radio, television and print spots. The company hung signs branding the schools "Magic Johnson Bridgescape" academies.

"I want to tell you about an option that you have that will help you earn a diploma and a more successful career," Johnson told radio listeners in Cleveland. "Let me help you achieve your dreams."

For EdisonLearning, the move to dropout recovery schools signaled a remarkable downshift in ambition. When launching the Edison Project 25 years before, media executive Chris Whittle and former Yale University President Benno Schmidt held out privatization as a fix for urban schools' ills, as well as the future of American education. At its height, Edison managed dozens of schools in cities across the country, including Philadelphia and Baltimore.

Whittle and Schmidt left their administrative roles in December 2006. Money troubles and controversies over test scores, staffing and safety forced the company to scale back, redirecting its efforts to running small public schools aimed at high school dropouts.

Such strategies came up in a 2016 conference call on enrollment, according to an

internal PowerPoint obtained by ProPublica. It recommended weekly outreach to former schools of enrolled students (referrals).”

Hoffman said the efforts had mixed results. They succeeded more often in Ohio, which allowed traditional high schools to remove from their ledgers the test scores of students who transfer to charter schools. The pitches were less effective in Illinois, which held traditional schools accountable for students’ performance even after they switched to Bridgescape. With no benefit from letting students go, Chicago schools fought to retain students and the per-pupil funding they brought.

In a statement, EdisonLearning denied that it ever carried out the strategy described by Hoffman and the PowerPoint, saying that “there has been no outreach to traditional schools” to boost enrollment. The company said there have been cases of counselors reaching out to Bridgescape to see if one of its schools was a good fit for a student. Contacts that Bridgescape initiated with former students’ schools consisted mainly of requests for documents and transcripts, it said.

Courting counselors at traditional schools is a strategy that other companies in the industry have used, too. “Visit counselors before the winter break and bring a gift,” said a document obtained by ProPublica that was shown to employees at the Florida for-profit charter chain Accelerated Learning Solutions several years ago. “Take goodie bags on special occasions (Bosses Day, Counselors Week, etc.).” The document also suggested reminding traditional school staff that transferring poor-performers to ALS would raise the graduation rate.

In an email, ALS President Angela Whitford-Narine said ALS schools get referrals because of their reputation for helping students graduate. Gifts, she said, “are things like an occasional delivery of donuts and coffee” for school staff when ALS employees stop in with new promotional materials or updates on enrolled students.

Some schools have turned reliably attending students into marketers, offering rewards for posting plugs on social media, referring friends or writing positive online reviews. This spring, Ohio Bridgescapes awarded students gift cards for referring new enrollees and maintaining high attendance themselves. The company posted photos on Facebook of smiling students holding their prizes.

In Chicago, like other dropout school managers in major cities, EdisonLearning made connections with politically powerful African-American pastors on the city’s South Side who helped with recruitment—including organizing door-to-door campaigns. EdisonLearning paid some ministers thousands of dollars for their efforts, said Hoffman, the former marketing manager.

The company said that while a retired pastor in Chicago had served as an enrollment coordinator and worked on recruiting in neighborhoods, it was an “unfortunate misrepresentation” that EdisonLearning paid pastors to help it attract students.

Like many for-profit colleges, EdisonLearning also hired a call center to pursue leads. When it received the phone number of a parent or someone else who had shown interest—often through a website inquiry, Hoffman said—the Pittsburgh-based call center’s employees would call three times a day for 45 days before marking the lead cold.

Some schools have turned reliably attending students into marketers, offering rewards for posting plugs on social media, referring friends or writing positive online reviews.

John Kuhn, a former Chicago Bridgescape teacher, said the recruiting tactics by some for-profit dropout recovery schools made him queasy. “It shouldn’t be a thing where we have to aggressively market them,” he said.

A PowerPoint presentation last fall showed EdisonLearning’s intense focus on how many taxpayer dollars each student brought in. In one slide, company leaders estimated an increase of 108 students over five locations—including its Ohio virtual school—would capture \$889,646 more a year. Each Chicago student would bring in another \$10,000 per year, and each

Ohio student, \$7,500. A slide from another PowerPoint referred to Ohio’s monthly enrollment reporting deadlines as “pay dates.”

In Ohio, EdisonLearning jockeyed with competitors for potential dropouts. The state had become well-known for loose charter regulation, with controversial players like White Hat Management lobbying against stricter controls. According to a report by two academics tracking the industry, more students attended for-profit charters in Ohio than in any state but Florida and Michigan—DeVos’ home state.

In this crowded field, EdisonLearning wasn’t attracting as many at-risk students as it had hoped, documents show, and there were early signs some of its schools were inflating enrollment. At Capital High in 2012, auditors found 90 percent of former students in a sample had not been withdrawn in “a timely manner.” (Withdrawn students are free to re-enroll.) Two other Bridgescapes returned nearly a half-million dollars to the state that year after it questioned their enrollment reports.

EdisonLearning acknowledged that, in the early stages, “both the academic and operational aspects of the schools were not meeting our expectations.”

Tenice Rogers, who worked as an office manager at Capital, said she tracked

student attendance and took care to follow state rules, including that students be unenrolled after missing 105 hours (or 21 days for schools with five-hour sessions). “When they hit it, I withdrew them,” she said. If students showed up the next day, she said, “they had to re-enroll.” When students walked out long before the day’s session ended, she noted their absence, too.

But other employees at the school thought she should be more forgiving of partial absences—despite the state’s instructions, she said. “A lot of people felt like if a student showed up for two hours, they should get full credit,” she said. No one told her to change her practices, she said, but she sensed disapproval. “I’d let them know,” she said, “If you want it done this way, you’ve got to find someone else to do it.”

In 2013, the company downgraded her job description to secretary. Where she had been making \$35,000 a year, she would make \$10 an hour instead. She couldn’t afford what amounted to a substantial pay cut and left for a job at Provost Academy, EdisonLearning’s virtual school in Ohio. Asked whether she felt the demotion was related to how she handled attendance, Rogers replied, “It might have been.”

EdisonLearning said: “It would be highly inaccurate and inappropriate to portray this situation as anything other than an adjustment of staffing resources.”

After Rogers left, concerns about Capital’s enrollment reporting resurfaced. In 2014, state auditors made unannounced visits to 30 charter schools across Ohio, and found some alarming differences between the number of students actually sitting in seats and the claimed enrollment levels.



Monica Scott, program director for Capital High, says she tells students they must come to class, but that at times she’s allowed them to “flex a little bit more” because of home and work commitments. **Andrew Spear for ProPublica**

In 2014, Capital High was among seven schools with the largest variances between its reported enrollment and actual attendance. Scott told auditors that about 70

students attended daily, with the rest rotating in and out just often enough not to be withdrawn. EdisonLearning said that auditors in Ohio and Chicago—who also challenged Bridgescape’s numbers—at times have not grasped its schools’ unique challenges and nontraditional schedules.

An internal EdisonLearning document obtained by ProPublica raises more questions about whether Capital overstated its students in reports to the state. A company spreadsheet charting withdrawals and enrollments in 2015-2016 shows that, on average, the student totals Capital submitted monthly for funding exceeded its internal tally by at least 24 percent.

Because enrollment is constantly changing, “a single snapshot of enrollment and withdrawals will more than likely not match” state totals, the company said. A recent state review praised Capital for “excellent” attendance procedures, but noted that students who never showed up in the fall had still been reported as enrolled. “I know I’m meeting the expectations,” said Scott, the program director.

Yost, the state auditor, said Ohio needs better security measures to prevent dropout recovery schools from manipulating enrollment data. “It’s just clear that the honor system of ‘trust us’ is not really working all that well,” he said.

Located in a weathered strip mall on Columbus’ high-poverty West Side, Capital High occupies a one-story storefront with mirrored plate-glass windows. Students sign in at a counter, on a sheet preprinted with their names, before walking through a metal detector. Officially, the first shift begins at 7:30 a.m., the second at 11.

The central hallway and the classrooms off it feature the subdued blues, greens and grays of Bridgescape’s logo. There are no sports teams, band or orchestra, or art classes, but the school stages its own prom and takes students on occasional field trips.

“It’s so normal in urban areas that their world is so small,” said Scott, whose left arm bears an ankh tattooed above the word “balance.” “We work super hard to try to make it as rich as possible.”

While the school employs seven teachers and offers some small classes, most students are supposed to work for the full five hours on computers.

Timmons, the recent graduate, said the software at Capital often had typos and glitches. “Most of the online courses were very misleading,” he said. “If you asked the teachers about it, they would say, ‘We didn’t make it, just Google the questions and do the best you can.’”

Many students wouldn’t bother reading the questions on the short multiple-choice

tests required to advance in a course, he said. Instead, they would keep clicking till they got it right," he said.

EdisonLearning officials said there have been "few incidences" of typos in its software and that the company corrects them when schools report them. Teachers "lock" tests after three attempts, they said, and have students work one-on-one or in small groups.

Juvenile probation officers in Franklin County, where Capital is located, have formed negative impressions about some of the dropout recovery schools—which many of the teenagers they supervise attend. The officers visit the schools to meet with those students or check on their attendance and academic progress.

"We have a couple good programs here and a couple of not-so-good programs," said Diane Mueller, chief probation officer for the juvenile court. "Clearly anything that's more structured is helpful for the kids." By that, she said she means students are expected to arrive and leave at certain times, and teachers are available.

"I think all of our POs have concerns about the charter schools," she said.

Ohio's Department of Education defines "chronic absenteeism" as missing more than 10 percent of the school year for any reason. During their time at Capital, all but four of the 502 students enrolled at some point during 2015-2016 met that threshold.

████████████████████

"Most of the online courses were very misleading. If you asked the teachers about it, they would say, 'We didn't make it, just Google the questions and do the best you can.'"

Matthew Knight's attendance record is typical. Around noon on that Thursday in May, his mother, Lisa Brandon, dropped him off in Capital's parking lot. A shy 15-year-old who was placed in gifted classes as an elementary student, he started cutting classes at his traditional public high school and then refused to go at all, complaining he was being bullied and some students reeked of marijuana, his mother said.

He enrolled at Capital in the fall of 2016. About six months ago, the family became homeless, Brandon said, making it hard for her son to get to school. She said that since October,

he'd missed "45 to 50" days. "A whole month of time we did not go to school," she said.

Knight told his mother that he had a guidance counselor's permission to keep up from home by logging in online. In fact, Capital doesn't have state approval for such an arrangement. A county social services counselor soon warned her that Knight was considered truant and needed to start physically attending school immediately.

Capital had robocalled her, Brandon said, but hadn't made a personal call or sent a letter to her mother's mailing address, which she provided. "I felt like they dropped the ball a little bit by not saying, 'He's truant, why is he not here?'" she said.

Brandon has since made extra efforts to take Knight to school. But he doesn't stay full days. She said he typically calls her an hour or two after she drops him off, or walks to an aunt's house. "He gets to leave when his assignments are done," she said. "I guess it is easy for him."

Scott said her desire to make school accessible to students with commitments at work and home has led her to "allow them to flex a little bit more." Some leave to eat, and one insists on going home to use the bathroom.

"A lot of students have different specialized schedules," she said. "It's hard to keep track of it."

Being flexible also means liberally granting "excused" absences, records show. They reset the clock, enabling Capital to legally bill the state for students who miss more than 21 consecutive days of school. In April, the school marked 13 percent of absences as excused.

Scott made improving attendance a goal in an annual school performance review in 2015-2016. "Ensure staff is meticulously charting absences," the document said, "and communicating with students and families to decrease unexcused absences."

Knight, who entered Capital at the age of 14, also illustrates a controversial tactic that the school increasingly depends on to boost enrollment and state reimbursement—enrolling younger students.

The school's charter contract allows Capital to enroll students in grades 9-12 "and/or" ages 16-21. After denying Capital had any students under 16, Edison Learning later conceded some were 14 or 15.

State regulators often set a lower academic bar for alternative

schools than

Scott said the state allows 12 percent of Capital's students to be under 16. But she said she often tells young students they will miss out on experiences like homecoming if they leave traditional high schools. "These kids want instant coffee," she said. "I push them back

because, 'Give it a chance.'"

regular ones. BUT Ohio's 94 dropout recovery schools have struggled even to attain less rigorous goals.

Educationally, mingling younger teens with students in their early twenties may be unwise. A state task force report in July on dropout recovery programs warned that a broader age span could pose problems because “the developmental difference between 14-year-olds and 21-year-olds may be too great.”

But with students departing in droves—337 students withdrew, while just 270 enrolled during the 2015-2016 school year—Capital can't afford to limit itself. Edison Learning officials acknowledged that they're worried about attrition, and said their efforts to retain students “far outweigh” their attention to recruitment.

Former Chicago Bridgescape teacher Kuhn said most of the younger students lacked the maturity to complete hours of lessons independently on computers.

“Anyone who came in as a freshman or sophomore had a really long way to go,” he said. “I wasn't hopeful for their future at our school.”

State regulators often set a lower academic bar for alternative schools than regular ones. But Ohio's 94 dropout recovery schools have struggled even to attain less rigorous goals.

About 40 percent of the schools failed to meet state standards in 2015-2016. While Capital High passed overall, meeting state testing and other goals, its students didn't make satisfactory academic progress. At 92 percent of Ohio's dropout recovery schools in 2015, the graduation rate was below 50 percent. Capital's was 23 percent. In 18 schools, including Capital, students skipped at least once every two days.

Beginning this fall, new rules will make it easier to shut down dropout recovery schools that repeatedly fail, said Aaron Churchill, Ohio research director for the Thomas B. Fordham Institute, which oversees some Ohio charters. Because their students bring so many challenges with them, dropout recovery schools are hard to evaluate, he said.

“I don't think we've got it completely perfect on how to hold dropout recovery accountable,” Churchill said. “I think that's one of the issues Ohio and other states need to work out.”

The state task force recommended adding new criteria for schools such as attendance and course progress, and having traditional and dropout recovery

SCHOOLS SHARE ACCOUNTABILITY FOR STUDENTS. Ohio education officials said the state is also requiring new intervention plans for students who miss too many days.

In the summer of 2016, EdisonLearning ended its partnership with Magic Johnson and removed his name from schools' signs. Officials with the company and Magic Johnson Enterprises said the five-year agreement "mutually concluded."

"Mr. Johnson was personally committed to the Bridgescape program," Magic Johnson Enterprises said in a statement, "and proud of the success the vast majority of students showed in their educational growth." Johnson even pledged to pay personally for one Chicago Bridgescape graduate's college education, the company said.

EdisonLearning—which sold off a chunk of its business in 2013—posted a significant loss in the 2016 fiscal year and has closed Bridgescapes in Illinois, Ohio and Virginia.

But it is still bullish on dropout education. In January, according to a company press release, it "doubled the size of our Alternative Education portfolio," buying a chain of six for-profit charters in Florida called Mavericks in Education. Mavericks has been investigated in recent years for problems that included overstating attendance numbers.

At Capital High on that unseasonably hot Thursday, students drifted out early in the afternoon. One was Sabrina Blevins, 18, who came to Capital as a sophomore when she had a hard time keeping her grades up at her previous high school.

Blevins showed up at noon and left around 1:30 p.m., carrying a packet of algebra worksheets to her car. She usually leaves early for her full-time job at McDonald's—though on this afternoon, she was off work. "PM is pretty chill," she said.

Blevins has missed school for weeks at a time: "I've hit the limit a couple of times." But she always came back without having to re-enroll, and hopes to graduate in December, she said, adding, "There's a lot of kids, they just disappear."

Hannah Fresques contributed data analysis to this report.

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