

Opinion

Problems are clear - solution, too

ACLU spotlights schools' shortcomings; now it should back kids' civil liberties

By

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On Aug. 10, the Schwarzenegger administration reached an agreement with the American Civil Liberties Union to settle its lawsuit demanding better education for California's neediest students. The good news is the lawsuit focused enormous attention on how decrepit and dysfunctional our public schools have become especially those serving our most disadvantaged families. The bad news is it will do nothing to improve our public schools.

After the suit was launched by the ACLU in 2000, the Davis administration fought it with the \$320-per-hour O'Melveny and Myers law firm and \$14.5 million in legal fees. Their hardball lawyers deposed kids as young as 8 years old, grilling them about whether the small long-tailed animal they saw in the classroom was really a rat.

The Davis administration claimed that the state of California, despite paying for almost 70 percent of the cost of running our public schools and despite an 11-volume education code that specifies in excruciating detail how our public schools would be run, actually could not be held responsible for the sorry state of our public schools. It pointed its finger at the school districts instead.

The agreement that was finally reached holds neither the state nor the districts responsible for change, but rather the county offices of education. It is an odd choice, indeed; unknown to the majority of voters, the county education offices are the black hole of our public education system. Charged primarily with schooling our most disruptive kids, the county system's substandard "community schools," as they are euphemistically known, graduate only trickles of students.

The agreement requires that a notice be posted in every classroom advising that dissatisfied parents can contact their county office of education. Lots of luck.

A cornerstone of the agreement is \$188 million in new money for the worst schools. However, even if one ignores the mountains of evidence that ever-increasing funding in inflation-adjusted dollars hasn't bought us better public schools, most of us can figure out that this means that each of the 1 million students specified in the settlement will benefit from a trivial additional \$188 a year - about a 2 percent increase in the current \$9,614 per student we are now spending.

Meanwhile, the ACLU opposes the one reform that would really improve our schools - a voucher system that would allow open competition and freedom of choice -

because it says it opposes allowing taxpayer money to be spent on the religious schools that some families would choose. However, it has never gotten around to opposing existing consumer choice programs that allow taxpayer money to be channeled to religious institutions, such as the G.I. Bill of Rights, Pell Grants, Medicare and Medicaid (known in California as Medi-Cal).

The ACLU gets one gold star for shining a light on the vermin-infested classrooms and stopped-up toilets of our public schools. But for it to scoop up the remaining two gold stars, it will have to start taking its own name seriously. It is, after all, a civil liberties union. Our Bill of Rights guarantees us freedom of speech, of religion, and of assembly, all rights that are compromised by a K-12 public school system based on compulsion and coercion. And, if the lefties at the ACLU don't much care for a right-wing document like the U.S. Constitution, they might try reading the United Nations Declaration of Universal Human Rights, which guarantees to all families the right to direct the education of their children.

The school choice movement will be forever grateful to the American Civil Liberties Union for publicizing the horrendous conditions in California's public schools. Now it's time for a reform that will truly address the problems: dismantling the monopoly stranglehold our public schools have on K-12 education, and replacing it with a school system based on freedom of choice and civil liberties for all.