

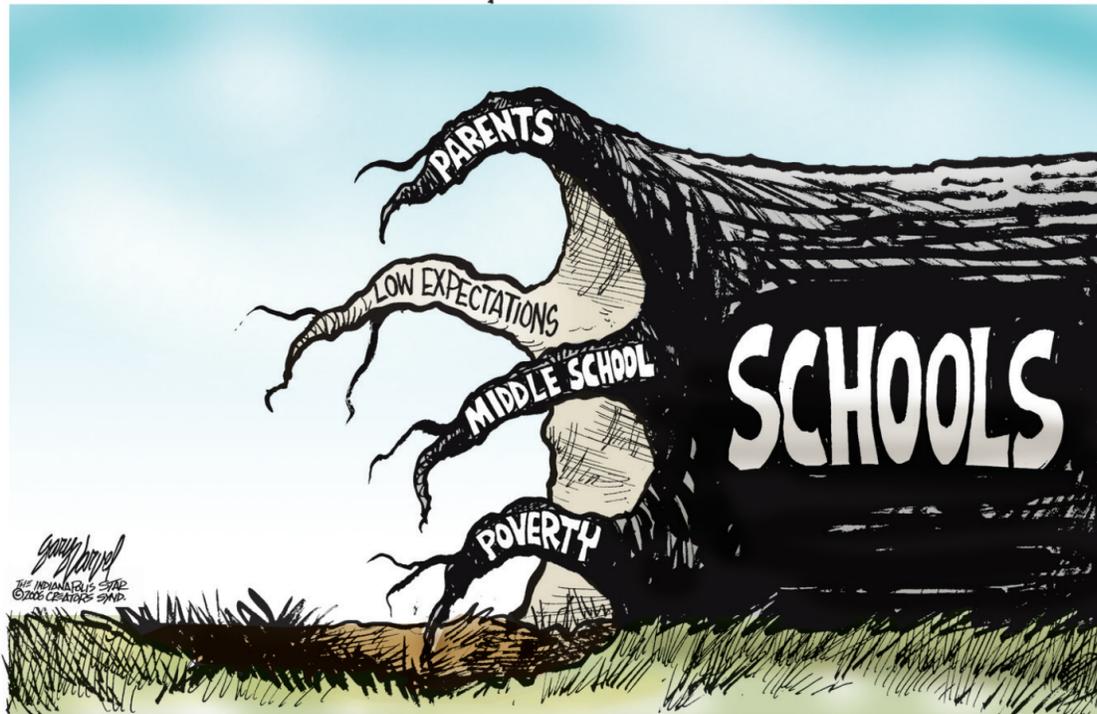
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Bottom of the class

Dropouts' Roots



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GEORGE WILL

Unequal protection for kids

SEATTLE — This city's school district decided in 2000 that because the son of Jill Kurfirst and the daughter of Winnie Bachwitz are white, they should be assigned to an inferior and distant high school.

The parents argue that the racial school assignments — actually, assignments by pigmentation — that so injured their children violate the Constitution's guarantee of equal protection of the laws. The reliably unreliable 9th U.S. Circuit Court of Appeals predictably ruled, with interesting indifference to pertinent Supreme Court precedents, against the parents. Soon — oral arguments are Monday — the Supreme Court can remind the 9th Circuit of the Constitution's limits on what schools can do in the name of "diversity."

Students can seek admission to any of Seattle's high schools. But the Seattle School District decided to engineer a precise racial balance in its most popular high schools, which are chosen by more students than they can accommodate. The district wanted each oversubscribed school to reflect the entire system's ratio of 40 percent whites and 60 percent nonwhites. So it adopted a race-based admission plan to shape the schools' "diversity."

The district gave preference to certain applicants, using considerations it called "tiebreakers." One, which benefited about 10 percent of applicants, was whether the student had a sibling at the desired school. Another was whether the student's race will produce or maintain a 40-60 balance.

When registering children for high school, parents were asked to specify each child's race. If parents did not specify, the district did so based on visual inspection of the parents' or child's pigmentation. The school board president has said "skin tone matters."

Although Seattle never had segregated schools, the district discusses its racial preferences with reference to "segregation" and "integration." But a statement by the district reveals that racial preferences are supposed to serve social engineering: "Diversity in the classroom increases the likelihood that children will discuss racial or ethnic issues and be more likely to socialize with people of different races." Or different skin tones.

Is that a "compelling government interest," sufficient to justify race-based school assignments? The 9th Circuit, siding with the district, argued two propositions, both of which conflict with Supreme Court precedents.

One was that racial preferences are benign if they do not unduly harm any students' or "uniformly benefit any race or group of individuals to the detriment of another." But the Supreme Court has rejected this idea that the equal protection clause protects group rights rather than individual rights.

Second, the 9th Circuit said broad deference is owed to the judgments of local school districts. But no line of cases has established that high schools enjoy even the limited latitude that universities have in treating race as a factor when deciding who may be admitted. Rather, the Supreme Court has held that public secondary education "must be available to all on equal terms." And here are samples of the Seattle district's judgments which the 9th Circuit thinks deserve deference:

Until June, the school district's Web site declared that "cultural racism" includes "emphasizing individualism as opposed to a more collective ideology," "having a future time orientation" (planning ahead) and "defining one form of English as standard." The site also asserted that only whites can be racists, and disparaged assimilation as the "giving up" of one's culture. After this propaganda provoked outrage, the district put up a page saying that the district's intention is to avoid "unsuccessful concepts such as a melting pot or colorblind mentality."

Supreme Court deference to such race-mongering would make a mockery of the equal protection guarantee.

★ Will is an ABC commentator and Washington Post columnist. Contact him at georgewill@washpost.com

Focus on 17 schools could ease problem

Our position:

Overhaul of worst-performing schools and districts is next key step in confronting dropout crisis.

Seventeen high schools — seven in Marion County — accounted for 27 percent of Indiana's high school dropouts from the classes of 2000 to 2004.

They are Indiana's dropout factories, the worst at promoting students from ninth to 12th grade and, ultimately, to graduation, as identified by Johns Hopkins University researcher Robert Balfanz.

The schools pose enormous challenges for educators and state and local leaders attempting to improve student achievement. But they also offer a great opportunity — find ways to fix this relatively small group of schools and the largest obstacle to resolving Indiana's dropout crisis will have been cleared.

The state completed the first step toward reform last week by finally admitting that the crisis exists. Superintendent of Public Instruction Suellen Reed, in a presentation to the Education Roundtable, acknowledged that one out of four students in the Class of 2006 did not graduate on time.

Now, in the words of Achieve Inc. and Jobs For The Future, national research and consulting organizations that advised the Roundtable last week, Indiana "must help school corporations raise expectations and change attitudes."

Other states have adopted a variety of approaches to support and confront struggling school districts.

States such as New Jersey have taken operational control of school districts or placed them into trusteeship. But the results have been mixed, in part because the focus has often been on overhauling school finances instead of improving academic performance.

About 1,750 schools in 42 states, including Indiana, are being restructured under options granted by the No Child Left Behind Act, which includes replacing entire teaching and administrative staffs. But as Sara Mead of the Education Sector, an education reform group, points out, few states have used the most radical restructuring means available under the law, including converting traditional public

schools into charters.

A state takeover of failing schools should be a last resort, carried out only after local districts have shown they're incapable of improving on their own.

The state, however, can move quickly to help struggling districts, such as Indianapolis Public Schools, by giving them more flexibility to make changes in their operations, providing accurate and timely data, and offering financial rewards for innovation and improved student achievement.

The New York City Department of Education has developed a model that could help in Indiana. In what's called an "autonomy zone," administrators can extend school days, offer teachers bonuses for working in troubled schools and, possibly, ditch collective-bargaining agreements.

The focus, however, should not be solely on poor-performing high schools. Reform efforts must include middle schools and entire districts to achieve long-term success.

The roots of the dropout crisis can be found in middle schools, where poor grades and sporadic attendance are harbingers of ultimate failure. For example, in Gary's troubled school district, only 38 percent of eighth graders passed the English portion of ISTEP; only 29 percent passed the math section. Two Gary high schools are on the list of Indiana's 17 worst performers.

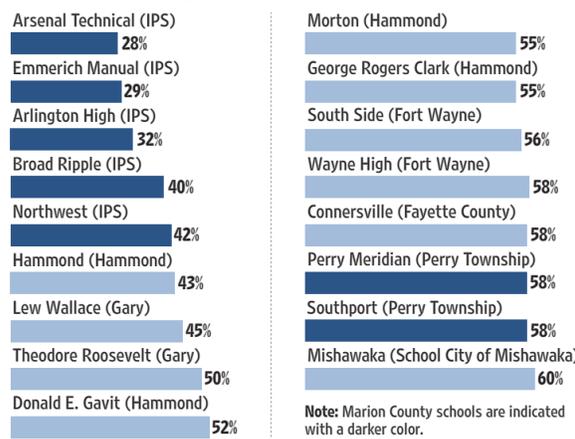
Failing districts also can learn from one another. IPS is in the process of developing a promising system to identify and remediate at-risk students before they drop out. It's similar to an approach implemented in Philadelphia.

By focusing on the 17 schools with the worst performance, the state can apply lessons learned in that process to other faltering districts. A problem that seems overwhelming in scope also can be made more manageable.

The greatest need, however, is for a sense of urgency among state leaders, educators, business executives and community groups. Thousands of young people are walking away from school without the basic education needed to fully function in society. They — and the entire state — are suffering the painful and expensive consequences of that failure.

INDIANA'S DROPOUT FACTORIES

Some are located in inner cities, others in the heart of rural Indiana. Seventeen high schools, the worst-performing in the state over a five year period, form ground zero of Indiana's dropout crisis. The schools' performance is based on their five year-average promoting power rates, or the percentage of ninth-graders who advanced to their senior year of high school.



Sources: Johns Hopkins University Center for the Social Organization of Schools, Star Editorial Board estimates

EMILY KUZNIAR / The Star

DROPOUT DETAILS

A few facts about Indiana schools where students are most likely to drop out:

◆ Indianapolis Public Schools is home to the state's five worst-performing schools based on promoting power.

◆ Hammond High in Lake County is the worst performing school outside of IPS, with a five-year promoting power rate of 43 percent. In fact, all of Hammond's four high schools landed on the list — versus two high schools in nearby Gary.

◆ Suburban Perry Township's two high schools, Perry Meridian and Southport, were the worst in Marion County outside of IPS.

◆ Only nine of the schools are mostly black or Latino. Rural Connersville High School, where enrollment has been almost all white, promoted just 58 percent of its students from ninth to 12th grade.

◆ Poverty is a factor. Students on free and reduced-lunch plans made up 57 percent of the 2003-04 enrollment of the seven school districts on the list. But Connersville, which had a paid lunch population of 67 percent that year, indicates that the relationship between poverty and dropping out isn't always closely linked.

Senate control eludes Democrats

Almost as sure as the sunrise, the state Senate keeps its Republican majority.

Democrats can win almost everything else in the state, but Republicans have an almost unbreakable grip on the upper house of the General Assembly.

Even when their majority leader lost a spring primary, Republicans won his seat with a more conservative candidate. They maintained their 33-17 majority and extended their current winning streak to 28 years.

Explanations for the GOP dominance vary.

Democrats contend that Republican-drawn district maps give the GOP an edge. "It all does come down to the maps," says Democratic state chairman Dan Parker.

The majority party in each house draws district maps every 10 years, based on the new Census. Yet the map-drawing privilege has not given either party a long-term advantage in the



RUSS PULLIAM

House of Representatives, where the majority bounces back and forth.

The fierce fight for the House every two years makes it harder for Democrats to challenge Senate Republicans. "It's really difficult for the Senate Democrats to raise the necessary dollars to compete," Parker says. "Most of the dollars go to the very competitive chamber, the House."

But the Republican domination runs deep enough to prompt a search for other explanations. Democrats last won a state Senate majority in 1976. Before that they won majorities only in national

presidential landslides, with Lyndon Johnson in 1964 and Franklin Roosevelt in the 1930s. An exception was 1960, when Democrat Matthew Welsh was elected governor.

The Senate lends itself to stability and tradition. The chamber is quieter than the House, which attracts more controversy, whether it's praying in the name of Jesus or one party walking out so nothing can be done without a quorum.

"The Senate has had a reputation for being the sensible body," says Sen. Ron Alting, R-Lafayette. "The caucuses get along better. We believe in the institution and the rules, even like keeping your coat on in the chamber."

The Senate tends to be more financially cautious than the House. When House Republicans voted to abolish the property tax, Senate Republicans said no, insisting on a plan to make up for the lost revenue.

Senate Republicans also have taken steps to avoid scandals. When riverboat gambling was debated in 1993, Senate

President Robert Garton noted the allegations of ethical violations in other states. "He arranged to have FBI agents in the hallway," recalled Sen. Luke Kenley, R-Noblesville. "He felt it was such a big move that it created the atmosphere in which something could happen."

After the recent election, Republicans eliminated the controversial lifetime health-care plan for senators and staff, the main reason why Garton was defeated in the primary.

Republicans may eventually succumb to complacency, opening the way for Democrats to control the Senate. New GOP senators tend to be more conservative, which might prompt Democrats to put more effort into fielding competitive candidates.

Yet, if almost a century of history is any guide, an opportunity for Democrats won't emerge until they come up with another national presidential landslide.

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