

## The BlackBerry Kid: Michelle Rhee's Showdown with the D.C. Teachers Union

By RiShawn Biddle

**Summary:** *Washington, D.C.'s public schools chancellor Michelle Rhee is determined to reform the work rules and teacher hiring practices that are contributing to the district's academic failure. But her plans raise the ire of the nation's teachers unions, which have frustrated all efforts to weed out bad teachers and reward good ones. If Rhee succeeds, she will have helped reform the teaching profession and alter the often-servile relationships school districts have with unions.*

Depending on whether you are an education reformer, a reporter, or a teachers union boss, Michelle Rhee is either the Wyatt Earp of public education or its Dragon Lady. Her recent December appearance on the cover of *Time*—Rhee is shown standing in a classroom, dressed in black, menacingly holding a broom—highlights her plans to clean up the notoriously corrupt and incompetent District of Columbia Public Schools system (DCPS). Rhee is attracting lots of attention from nationwide media outlets that generally shy away from the education beat.

Her penchant for marathon work hours and rapid response to parent e-mails from her two BlackBerrys has captured the imagination of such policy wonks as Michael Petrilli of the Thomas B. Fordham Institute. The former U.S. Department of Education official proclaims, "It's hard not to love Michelle."

Rhee became a point of contention between President-elect Barack Obama and Sen. John McCain during their last debate in October when both claimed the lifelong Democrat supported their particular position on



**Washington, D.C. Mayor Adrian Fenty (left) with D.C. Public Schools Chancellor Michelle Rhee (right).**

school voucher programs. Despite Rhee's loud criticism of Obama for his skepticism about the No Child Left Behind Act (and, ahem, because one of his advisers was on her staff), Obama called her "a wonderful new superintendent."

But to leaders of National Education Association (NEA) and the American Federation of Teachers (AFT), and their allies in the education establishment, Rhee is "dangerously self-confident," "denigrating and disrespectful," and "dangerous to children." Disgraced former Washington mayor Marion Barry (now a city councilman) said in a meeting last year that Rhee is "causing us more problems than we need to

have." He was referring to Rhee's contract negotiations with the Washington Teachers Union (WTU), the AFT local for D.C. public schools. AFT president Randi Weingarten even complained to the *New York Times* that "Michelle does not view teaching as a career."

Why is Rhee stirring the attention—and outrage—of school superintendents, union locals, PTA councils, and education lobby groups? For one, she is an outsider to traditional public education, a world in which teachers, principals and researchers emerge from schools of education steeped in instructional theory (or "pedagogy"), but lacking the subject-knowledge competency needed to teach what children need to learn. Rhee came into the profession not by graduating from an ed school, but as a recruit to Teach For America (TFA), a nonprofit renowned for its rigorous subject-focused training of very bright students who agree to teach in some of the nation's worst urban schools.

As the founder of the New Teacher Project, a Brooklyn, New York, nonprofit advising 23 school districts on alternative hiring practices and recruiting methods, Rhee is one of the foremost leaders of the teacher quality movement, a branch of the campaign to reform K-12 education which argues that

**January 2009**

The BlackBerry Kid  
Page 1

Labor Notes  
Page 6

successful academic instruction depends not on education theories but on subject-knowledge. Teacher quality advocates have long sparred with the NEA and AFT over the kind of methods and incentives needed to recruit, retain and spur successful teachers—and replace bad teachers.

Some of the most innovative players in education have come from this movement. The list includes Michael Feinberg and Dave Levin, the cofounders of the successful KIPP chain of charter schools, and Wendy Kopp, TFA's founder and a mentor to Rhee, Feinberg, and Levin. Along with supporters of uniform school standards and increased accountability, advocates for teacher quality are proponents of the No Child Left Behind Act, the bane of regulation-phobic conservatives as well as teachers unions that insist the Act cannot be effective without lots more taxpayer money. Within the Democratic Party, teacher quality advocates are fervent and influential challengers to teachers unions. President-elect Obama can't afford to ignore them.

At the vanguard of this movement is the 38-year-old mother of two who embraces a more performance-oriented approach to teaching. Rhee told Time magazine, "If the children don't know how to read, I don't care how creative you are. You're not doing your job."

This kind of thinking extends to Rhee's plans to revolutionize how DCPS compensates, evaluates, hires and—yes—fires its 4,000

---

**Editor:** Jeremy Lott  
**Publisher:** Terrence Scanlon  
**Address:** 1513 16th Street, NW  
Washington, DC 20036-1480  
**Phone:** (202) 483-6900  
**Email:** [jlott@capitalresearch.org](mailto:jlott@capitalresearch.org)  
**Website:** [www.capitalresearch.org](http://www.capitalresearch.org)

**Labor Watch** is published by Capital Research Center, a non-partisan education and research organization classified by the IRS as a 501(c)(3) public charity. Reprints are available for \$2.50 prepaid to Capital Research Center.

teachers. It means putting a sledgehammer to a four-decades-long relationship with the WTU that produced a culture of violent classrooms, corrupt practices, and pervasive academic failure. It also means eliminating tenure, the contractual status granted to teachers early in their careers that makes performance monitoring too onerous for the district to do—and makes their job status near-permanent.

If Rhee even partly succeeds, her example could radically transfer the dysfunctional, often-servile relationships that public school systems have with their AFT and NEA locals, whose truculent resistance to new ideas has succeeded in making teaching the public sector profession most insulated from performance management. Rhee's success in the nation's capital could reduce the clout wielded by the two unions at the national level—and especially with a now-resurgent Democratic Party divided over how to improve education.

Other floundering public school districts are desperately seeking role models who can show them how to improve student performance, recruit and retain the best teachers, and lure science and math collegians into the teaching profession. As the baby boomers near retirement age, Rhee appears to be showing schools that there is a new generation of education leaders who can help solve their problems.

"It's a smart strategy, not so much because of how it will impact today's teachers, but because of the way it will transform the recruitment of tomorrow's," Fordham's Petrilli tells *Labor Watch*. "Rhee is banking that lots of smart, motivated, driven individuals will enter her system as teachers if they see an opportunity to be rewarded for strong performance, and if they know that mediocre teaching will not be tolerated."

### **The Most Toxic School District**

Even among America's woeful urban school districts, D.C. Public Schools (DCPS) has long been a Superfund clean up site for public education. In 1996, an outraged Congress created a financial control board to oversee the city's government under Mayor Marion Berry. The board removed then-schools

superintendent Franklin L. Smith and transferred power from an elected school board to appointed school trustees.

But DCPS remained a squalid mess a decade, six chief executives, and two reorganization plans later. School buildings were falling apart, books and school supplies were in short supply, and the district's 4<sup>th</sup>- and 8<sup>th</sup>-graders ranked last in reading and math scores on the 2005 edition of the National Assessment for Educational Progress, the nation's most rigorous test of scholastic competence. Two out of every five high school freshmen who enrolled in 2001-02 dropped out, according to an analysis of data from the National Center for Education Statistics. Only nine out of every 100 high school freshmen will graduate from both high school and college, according to a 2006 study by a panel convened by then-D.C. mayor Anthony Williams.

Parents were also fleeing the district for the city's public charter schools. A fixture on the education scene since 1996, the 60 publicly-funded privately-run schools – which now serve 26,000 (or a third) of the city's student population – were gaining popularity for both being responsive to parental needs and for their academic performance. A poor student in the average charter middle school, for example, scores 19 points higher on the city's standardized tests than a similar student in a DC Public middle school, according to a Washington Post analysis.

By June 2007, DCPS's performance was so intolerable that Williams' successor, Adrian Fenty, successfully petitioned the council to give him control of the district. Fenty brought in Rhee to run the schools.

Rhee began by addressing what she considered the most important factor to increase student achievement: improving the quality of D.C. Public Schools' teachers. At least three different studies had recommended a focus on teacher quality to improve DC schools, and there were two formal promises by the District to do so. But nothing happened.

As the Parthenon Group, a Boston, Massachusetts, consultancy hired by former

Mayor Williams, pointed out, “The same pain points [including teacher quality] have been highlighted for almost 20 years.”

DCPS had no formal process for evaluating a teacher’s classroom competence. What it called evaluation was laughable. Ratings were based on a 20 minute observation of classroom performance by a harried school principal, not on such objective measures as a review of standardized test scores.

DCPS’s contract with the WTU didn’t make performance management easy. The district was permitted to formally evaluate a newly-hired teacher twice during the school year. But a teacher who earned tenure usually was evaluated only once every three years.

Removing incompetent teachers was almost impossible. Before it could dismiss a teacher DCPS had to prove its case at an arbitration hearing – even for newly-hired teachers considered “probationary” or temporary workers. The district could immediately remove from the classroom a tenured teacher charged with a felony, but it couldn’t do so in the case of an incompetent teacher.

Moreover, a new teacher could gain tenure in just two years. Only three states allow teachers to gain tenure so quickly, according to the National Council on Teacher Quality (NCTQ), a Washington-based research and advocacy group. Clearly, there was little correlation between tenure status and teacher performance because DCPS had almost no time and no objective basis for determining whether a teacher deserved tenure.

Rhee is trying hard to replace work rules originally intended to protect teachers from political reprisals. These rules have made it too burdensome for DCPS to fire its worst teachers. Rhee is developing a formal evaluation process that will use test scores and other objective performance measures. And she is trying to ditch a traditional seniority- and degree-based compensation system that encourages teachers to focus more on their own graduate coursework than on their students’ achievement. Rhee wants to use performance bonuses to reward successful instruction.

These reforms require breaking a political relationship with the WTU that began in the 1971 with the election of Marion Barry to the school board. Over four decades, the WTU helped Barry and his allies take control of D.C.’s political structure by supplying campaigners and votes. The political machine, in turn, helped the union win lax workplace rules and generous healthcare benefits. None of this benefited the city’s children or the vast majority of taxpayers not working for city government.

### **Breaking Ranks**

Rhee started to make her mark at DCPS with strong backing from Fenty, who comes from a generation of young, middle-class African-Americans more interested in economic improvement than in Barry’s race-baiting machine politics.

She began by implementing SchoolStat, a program based on the famed CompStat police information system used by the New York City Police Department in successfully fighting crime. Rhee used a comparable program to identify the worst academic and operational problems within the district. She also brought in her former charges at the New Teacher Project to develop a teacher recruiting and training program.

In March 2008, amid plans to shut down 24 schools with declining enrollments (and replace principals and teachers in two dozen more), Rhee proposed a voluntary buyout plan under which the DCPS would pay 700 teachers as much as \$20,000 each in severance. Two hundred and eighty-nine teachers applied for the package.

Two months later, Rhee fired 250 instructors – including 70 newly-hired teachers – who didn’t meet standards set by No Child to be certified as “highly effective” instructors.

In July, she upped the ante during contract negotiations by proposing the “Green System,” an alternative compensation scale that makes performance the key factor in earning raises and bonuses. Under the plan, teachers could make as much as \$131,000 a year in base pay – \$43,000 more than the maximum salary under the existing wage scale – and receive bonuses of as much as \$20,000 if

they improve student achievement on tests and meet other benchmarks.

The downside was that newly-hired teachers would no longer receive tenure, making it easier for the district to reward those who did make the grade and remove those who didn’t. Veteran teachers who voluntarily transferred into the scale would give up tenure for one year and could only regain that status after receiving a satisfactory rating.

Rhee has raised some \$200 million in pledged funds from private donors to finance this transition. Though Rhee has been tight-lipped about her backers, union officials have already leaked that one of the likely donors is the Bill & Melinda Gates Foundation, the nation’s largest foundation with \$35 billion in assets. The Gates Foundation is one of the most fervent supporters of the school reform movement. It helps to fund groups such as The New Teach Project, Teach for America, and the National Council on Teacher Quality (NCTQ). The Gates Foundation is also helping NCTQ develop a database on collective bargaining agreements and is funding a program to help grassroots activists and reform-minded districts overhaul teacher contracts.

Another big donor is the Broad Foundation, founded by Eli Broad, the Los Angeles entrepreneur and philanthropist. Since the 1990s, it has encouraged efforts to improve public school management – including programs to recruit former corporate executives to fill the position of chief executive in public school districts. In September, the foundation teamed up with DCPS and school districts in New York and Chicago to start EdLabs, an education research group based at Harvard University that focuses on developing databases to chart the effects of teaching and organizational moves on student achievement.

This didn’t sit well with WTU President George Parker. Parker is a bit of an oddity among teacher union officials because on occasion he has offered words of support for Rhee and actually admitted that the education status quo can’t continue. Parker even admitted to *Labor Watch* that “there’s no link between tenure and student achievement.” But with his every move is under scrutiny

by union rivals, he was quick to decry Rhee's reforms as "anti-union, reducing the rights of teachers."

Rhee's plan has revealed a split in teacher attitudes, separating veteran teachers who stand to benefit most from Rhee's plan but are more skeptical about its impact on them from younger instructors who are more comfortable with the concept of pay-for-performance. Just 44 percent of WTU members oppose the Green System while 24 percent support it, according to an August poll conducted by Peter Hart Associates for the union.

Younger teachers were particularly irked with WTU's slow response to their questions about the plan – especially in light of Rhee's rapid-fire responses to them. Complained an anonymous first-year special education teacher who writes the blog *Dee Does DC*: "Why is the Chancellor able to e-mail me back with a multiple sentence response, but George Parker cannot send a one-word reply?"

Parker declined to put the Green System and the rest of the proposed new contract before the union's members for a vote. So Rhee went in a different direction. In October, over the objection of the WTU, she announced that DCPS will roll out a performance evaluation system that will use test scores and other benchmarks. Thanks to the private funds she had already raised for the Green System, Rhee hired additional staff to help conduct evaluations. She also dusted off a little-used law that allows principals to place poor-performing teachers on 90-day probation, the first step in terminating a teacher's employment. Teachers who didn't meet No Child's guidelines for being highly effective teachers could eventually be dismissed.

Even before Rhee's announcements, the WTU found itself on the defensive. It filed suit against DCPS over the firing of the 70 probationary teachers dismissed during the May purge. Parker complains that the district didn't provide cause and didn't inform the union about the move. The teachers union began rallying its allies among the Washington city government's civil servant unions.

In August, the WTU distributed fliers at the Democratic National Convention in Denver accusing Rhee's patron, Mayor Fenty, of "trying to gut seniority rights for unionized DC teachers."

After the October announcement, the WTU found itself looking to its parent union, the AFT, which was mindful that Rhee's example and her ties to education reformers inside the Democratic Party could spread her influence to other school districts. At the request of WTU, its Washington local, the AFT is playing a behind-the-scenes role in trying to halt Rhee's advance.

AFT President Weingarten, who earned her stripes battling school reforms initiated by New York City mayor Michael Bloomberg and his chancellor Joel Klein (one of Rhee's biggest boosters) joined Parker in meeting with Rhee this past November. Says Parker: "[The AFT] has the expertise on how to negotiate contracts." Whether the AFT knows how to negotiate with Rhee remains to be seen.

#### **Standing Athwart History**

That Rhee has so far refused to step back from her announced plans makes her an unusual figure in public education. The average school district chief executive backs down when a union makes a point of opposing proposed reforms. Rarely are there real confrontations. There were just 15 teacher strikes in 2004 (compared to 241 strikes in 1975), according to education researchers Frederick Hess of the American Enterprise Institute and Martin West of the Brookings Institution.

Union strikes are rare because teachers unions enjoy enviable negotiating positions. The NEA and AFT are fearsome political forces in local, state, and national politics. Aided by laws in 34 states requiring school districts to collectively bargain with their locals, along with lobbying heft and vast campaign purses, the two unions have the clout to bring pressure to bear on any school district thinking about changing how it does business with its teachers. Contract negotiations, legislative initiatives and campaign donations to statehouse and school board elections are at their disposal.

Unions also benefit because most school district superintendents are selected the old-fashioned way: Many rise out of the classroom into management roles. Most school districts don't allow principals to select their teaching staffs. Union contracts stipulate that veteran tenured teachers, including those with less-than-stellar performance records, can take the teaching spots of more junior teachers – even if they are a poor fit for their school or the subject matter. Managing performance – and weeding out incompetent teachers—is an afterthought for school bureaucrats.

A few districts, mostly mayoral-controlled, have emerged to challenge the reluctance to embrace performance management. The most notable example is in New York, where Mayor Bloomberg and Joel Klein successfully enacted measures that allowed principals to hire and fire teachers and reject poor performers who want to transfer into their schools.

But Rhee's initiatives represent something more. Concern about deepening academic failure in the public schools began in the 1970s among governors like Tennessee's Lamar Alexander, led to the emergence of curriculum standards, textbook requirements and testing regimes. School reform (and the teacher quality movement) accelerated with the groundbreaking 1983 report *A Nation At Risk*, prepared at the request of the Reagan Administration. It declared that "too many teachers are being drawn from the bottom quarter of graduating high school and college students."

By 1986, some 250 state and local panels were formed to work on school reform. By 2001, most of their recommendations would be embraced at the federal level by two southern governors who became president – Bill Clinton and George W. Bush. The Bush Administration's No Child Left Behind Act, with its emphasis on using test scores and graduation rates to measure school, student and teacher performance, forced school districts to embrace statistical measurement as a tool for performance management.

Education scholar William Sanders and economist Eric Hanushek, from the Uni-

versity of North Carolina and the Hoover Institution respectively, have developed a statistical technique known as value-added assessment to measure student test-score growth against other students at the same grade level. Though controversial—because standardized tests are imperfect in determining reading skill levels and because of general opposition to the tests themselves—its ability to help measure classroom performance has given schools and districts the ability to measure teacher performance over time.

As a result, the concept of objectively evaluating and managing teacher performance is accepted in all but in the circles of teachers unions and their allies in some ed school circles. Research also shows that the effectiveness of teaching might be a greater influence on student achievement than a student's socioeconomic background. Ninety percent of the lowest-achieving 3<sup>rd</sup>-graders in the Dallas school district passed the 7<sup>th</sup> grade math test after being taught by three consecutive highly-effective teachers, according to a 2003 study by researchers Sitha Babu and Robert Mendro. Just 63 percent of highest-achieving third graders passed the 7<sup>th</sup> grade test after being taught by three consecutive poor-performing teachers.

School districts face added pressures from teacher shortages, especially in math and science. The upcoming retirements of the baby boom generation, which makes up at least 36 percent of the nation's teaching corps, exacerbates the math/science shortfall. But students who major in math and science—and who can make more money in the tech sector—are likely to be put off by public school districts that don't provide rewards based on job performance, substituting instead pay scales steeped in seniority rules and degree requirements.

New teachers want the system to change. Sixty percent of newly-hired teachers would give up tenure if they received higher pay and raises, according to a report released in July by the Education Sector, a centrist Democratic school reform group. Only 17 percent would rather keep tenure.

Ed schools are also failing in their role of recruiting and training high-quality instructors. Just 13 percent of 77 education schools surveyed by NCTQ had high quality math instruction programs. This has prompted the creation of programs like Teach for America—which currently supplies teachers to some 27 school districts and has plans for expansion—and alternative teacher recruiting programs like the New Teacher Project, which Rhee founded.

### Work Those BlackBerries

No doubt Rhee knows that modern school chief executives wear out their welcome after three years or so. They rarely have their



own political constituencies inside school districts – something the teachers unions have in abundance. And they lack experience with the new systems of performance evaluations, which only deepens the skepticism older teachers have about performance management.

It's even tougher for Rhee who has the national headquarters of the NEA and AFT looking over her shoulder. Even though a moderate school reformer, Chicago Public Schools Chief Executive Officer Arne Duncan, will likely become Secretary of Education, they are still influential in Democrat circles.

The unions will likely demand the president and congressional Democrats press Mayor Fenty to dial down Rhee's initiatives. American schools—like many parents—are slow to change, tolerant of mediocrity, and wary of strong-minded personalities. Michelle Rhee could easily find herself pushed aside

if she gets tangled up in the complicated, race-driven politics of Washington, DC city government.

Still, public education is being forced to focus on performance, and Rhee's got a better chance than most. "On one hand you've got an uber-responsive chancellor who reformed the bureaucracy to better support teachers. And wants to give them the option to voluntarily enter a system that would pay them a whole lot more money," wrote Kevin Carey, research czar for Education Sector on his blog earlier this year.

"On the other hand, [there is] a union that can't return emails."

*RiShawn Biddle, editor of the education reform website Dropout Nation (www.dropoutnation.net), is co-author of the book A Byte at the Apple: Rethinking Education Data for the Post-NCLB Era.*

LW

**Please  
remember  
Capital  
Research  
Center  
in your will.**

Terrence Scanlon, President

# LaborNotes

Democratic Illinois Governor **Rod Blagojevich** has been arrested after an FBI investigation found he allegedly attempted to auction off President-elect **Barack Obama's** vacated Senate seat. According to an affidavit, Blagojevich said in a recorded telephone conversation that a Senate appointment is a “[expletive] valuable thing, you don’t just give it away for nothing.” One of the deals Blagojevich attempted to put together would have given him a high paying job with the union labor federation **Change to Win**. The affidavit fingered an yet-unnamed official with the **Service Employees International Union** (a member of Change to Win) as an intermediary between the Illinois governor’s office and the Obama transition team about the appointment of the president-elect’s Senate replacement.

Vice President-elect **Joe Biden** announced that **Jared Bernstein** will be chief economic advisor to the Office of the Vice President. Bernstein is a long-time scholar of income inequality at the **Economic Policy Institute**, a think tank with close ties to labor unions, who holds a Ph.D. in Social Welfare from Columbia University. He wrote in the **New York Times** that too many economists wrongly believe “markets can save the day” on affordable health care provision “despite the lesson from international comparisons that the best way to provide health care is to take it out of the market.” Some analysts believe Bernstein’s appointment signals the role Biden has decided to play in the forthcoming Obama administration -- as organized labor’s chief advocate in the White House.

Speaking of appointments: At press time, President-elect Obama hadn’t announced a nominee for his new head of the **Department of Labor**, but he had tapped someone to oversee the Labor transition team. **Edward Montgomery** is dean of the University of Maryland’s College of Behavioral and Social Sciences. He was deputy secretary, chief economist, and assistant secretary of labor policy during the Clinton administration. Increasing the minimum wage (again) and increasing workplace safety rules are said to be among his major concerns.

Complaints by an **American Postal Workers Union** local in southwest Philadelphia led to fruitful investigations by the **United States Postal Office** and the **Philadelphia Daily News**. Rank-and-file postal workers alleged that district service manager **Frank Neri** and other decision makers ordered underlings to falsify records about the volume of mail that came through a local processing center, leading to massive delays and non-delivery of mail. In response to its reports, the Daily News reported complaints from literally “hundreds of [postal] customers...including bill payers who were penalized with fees because payments never arrived, lab specimens and legal mail delayed, and watch parts destroyed or missing.” Neri was replaced on December 5 with a new district manager, veteran Philadelphia postal hand **Jim Gallagher**, who will now have to, well, sort this all out.

The **National Football League Players Association** is challenging the suspension of **New York Giants** wide receiver **Plaxico Burress**. Burress is facing a felony weapons possession charge after he shot himself in the leg at a New York City nightclub. The .40-caliber gun slipped from his pocket into his pants and Burres accidentally pulled the trigger and discharged the weapon when he reached to retrieve it. The NFLPA’s grievance states the New York Giants violated the collective bargaining agreement when it placed Burress on a non-football injury list, suspended him for the remainder of the season, and fined him a week’s pay for conduct detrimental to the team.