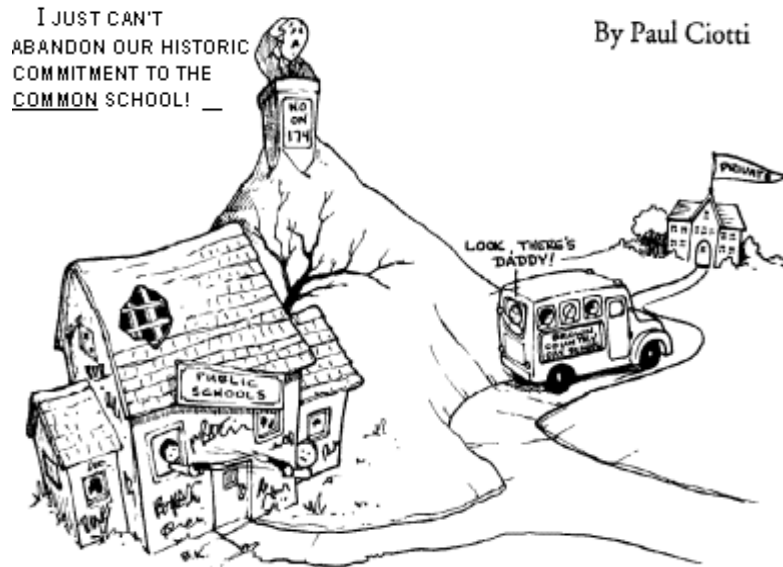


ONE UNION'S WAR AGAINST CHOICE



"There are some proposals," said CTA President Del Weber, "that are so evil they should never even be presented to the voters." Why has this vastly wealthy, enormously powerful organization become so hysterical about 174?

THERE WAS a time when public schools devoted themselves to helping the children learn without regard to the teachers' personal ideology, self-interest, or political agenda. But as Tom Hayden likes to say: "That was then. Now is now." As violence has soared and test scores have plummeted over the last 30 years, public schools are now not so much seen as the last best hope for a free society but rather as a major cause of its steep decline. And a lot of the blame goes to teachers unions.

Instead of standing up against pressures to lower standards, eliminate discipline, and demoralize the schools with ideological fads, teachers unions have often supported some of the most destructive tendencies in public education while simultaneously fighting tooth and nail such genuine reforms as competency testing, merit pay, standardized testing, decentralization, parental authority, and, most especially, that 800-pound gorilla of educational reform—school vouchers.

ONE WOULD think with its 230,000 union members and its bulging \$10 to \$15 million-plus war chest, the California Teachers Association (CTA) wouldn't be so visibly hysterical about Proposition 174, the lightly-funded and bitterly-criticized voucher initiative. But ever since Proposition 174 qualified for the ballot last summer, CTA President Del Weber has been a whirlwind of pejoratives, calling the initiative "dishonest, divisive, and destructive," "a cynical fraud," "an evil measure," and "the single greatest threat ever to face school children in California." Acting state Superintendent of Public Instruction William D. Dawson described it as "a giant meteor

crashing toward Planet Education." United Teachers of Los Angeles President Helen Bernstein called it an educational "Armageddon." There can't be any holding back on this one, she told her troops –"without decisive action there will be no tomorrow."

The reason is, unlike the warm-milk-and-sugar-cookie reforms of the past, vouchers actually have the power to transform the system. "Most other reforms they can handle," says Stanford political scientist Terry Moe. "New tests, new curricula, or even school-based management doesn't threaten the system. But vouchers revolutionize the system and they can't allow that."

The unions' primary fear is loss of jobs. If just one percent of parents inside the Los Angeles Unified School District (LAUSD) chose to vote with their feet and take their vouchers to a private school, the district would lose 6,000 students, 200 teachers, and an equal number of staff, support, and administrative jobs –a terrifying prospect to any union head. Even so, the district could easily weather such a minor yearly defection (especially since the school population in LAUSD is expected to increase 30 percent from its current level of 644,000 students in the next 10 years). Unfortunately, the public schools suffer from what Whittaker Corporation CEO Joe Alibrandi calls the "Berlin Wall syndrome" – the notion that if the schools open the door to let anyone at all out, then everyone will go. "Look at it from a business standpoint," says Alibrandi. "I (the California public schools) have 5.4 million kids. The competition (private schools) has 500,000. I have 90 percent market share. And yet they –this big towering gargantuan– is scared of [any competition]."

What, wonders Alibrandi, do they know that I don't?

TO ASK the question is to answer it. The schools are collapsing; the teachers have lost their moral authority; to avoid embarrassing comparisons between the test scores of middle class white kids and poor inner-city blacks, they have de-emphasized grades and promoted self-esteem; rather than expel students who bring guns to class, until this year the LAUSD merely reassigned them to other schools (and then didn't tell their new teachers the reason for the transfer); unable to convince kids that they have anything valuable to offer them, schools do everything but stand on their heads to keep the students interested. (As a recent Los Angeles Times article incredulously pointed out, one Los Angeles junior high school currently offers courses in baseball card collecting, movie watching, and playing board games.) No wonder, according to American Education Association President Keith Geiger, 40 percent of urban area teachers now send their children to private schools. In Los Angeles, according to the American Enterprise Institute, the figure is 29 percent.

"My god," says Alibrandi, who was one of the people most responsible for getting Proposition 174 on the ballot. "If 30 to 40 percent of the people in my company bought the competition's product I'd be damn worried."

Instead, says Alibrandi, the educational establishment's reaction is to wrap itself in the mantle of public schools, America, and apple pie, even as the schools collapse around their feet. "I could tolerate that in the DMV," says Alibrandi. "I can tolerate it in the post office. But here we are talking about generations of kids going down the drain and that is too high a price to pay to maintain some bureaucracy. Today in the public schools, you have 30 percent dropping out. Fifty percent of the rest at best get a seventh grade education. And what happens? No one gets fired. Nothing gets changed."

And this in spite of the fact, says Ken Khachigian, chief strategist for the "Yes on 174" campaign, that "our verbal SAT scores are the lowest in California history. Our dropout rate is worse than 43 other states. Half of all California school systems are operating in the red. They can't even balance their budgets."

Fifty years ago the biggest problems in Los Angeles schools were talking in class, chewing gum, and running in the halls, writes Laura Locke in the California Journal. Today the biggest problems, students say, are suicide, assault, pregnancy, rape, and murder. In fact, in many public schools, points out former Secretary of Education Bill Bennett, kids are far more likely to "get impregnated if girls or shot if boys" than graduate with a good education. Sixty-three percent of applicants for entry level positions at Pacific Bell can't pass a seventh grade knowledge level test in reading, writing, and math, says Khachigian. "We are turning out rivers of people who can't do anything at all," despairs John Gatto, an award-winning New York City teacher turned lecturer and author. Although defenders of public education routinely blame their poor showing on inadequate funding, as critics have often pointed out, many of the problems of public school have little to do with money. Parochial schools, for instance, routinely get by on barely half as much money and do a better job. One reason is that they have a commitment to discipline in the schools. "They don't allow children to rule the classroom like an educational version of Lord of the Flies," says the Claremont Institute's Lance Izumi.

The public schools in contrast have lost the conviction that they have even the right to tell students what to do. "The kids own the schools," one discouraged LAUSD teacher told LA Times reporter John Johnson in a recent major report on schools in LA. Unlike previous generations, there's no fear of teachers and precious little respect. On some campuses male teachers hesitate to give female students homework or low grades on tests for fear they will report them for sexual abuse. There are some corners of the playground where it isn't safe to walk.

Howard Wang, founder of the San Fernando Valley's elite Sierra Canyon School, says that when he visits some high schools in South-Central Los Angeles as part of an accreditation team, he is appalled at their physical condition. "Prisons are better kept than these schools," says Wang. "At one school on the second floor, all the windows had been knocked out. I asked them, 'Why don't you fix the windows?' 'We can't,' they said. 'People throw things through the windows at night.'"

JOHN PEREZ, a secondary vice president with United Teachers Los Angeles (a daughter union of the CTA), complains that his union would dearly like to get rid of violent or disruptive students. Unfortunately, he says, it's "illegal." The state constitution says that every kid is entitled to a free public education. There's due process. The parents would sue. "We don't make the rules but we have to live by them."

The notion that teachers unions are constrained by arbitrary rules made by a distant and unresponsive state Legislature strains credulity for people who have ever seen the CTA lobby work its will in Sacramento. "The CTA is an adjunct of the Democratic caucus," says San Jose Assemblyman Charles Quackenbush. "They run the Legislature." If state law prevents the expulsion of discipline problems in public schools, it's because the teachers unions prefer it that way. And they prefer it for the same reason they oppose letting parents have vouchers to go to private schools: it would cause enrollment to drop and thereby cost their members jobs.

Teachers union officials worry about keeping students in the schools the way German shepherds worry about the straying of their sheep. When Governor Wilson recently proposed pushing back the start of kindergarten to save money, the CTA didn't just object - it countered with a television ad campaign showing a tearful child being turned away from kindergarten. It's also the reason, says Myron Lieberman, a former teacher and union member who has just published a book on public education and the free market (Public Education: An Autopsy), that teachers unions oppose the notion of a sub-minimum wage for teenagers - it would enable indifferent and disinterested students to drop out of school and find entry-level work appropriate to their skill level, thereby reducing the need for teachers and union members.

DESPITE ALL the time scholars spend studying the decline of the schools, they tend to neglect one of the most obvious reasons of all. "Public schools are the last great vestige of socialism in America," points out John Nelson, a Sacramento consultant who does opposition research for the "Yes on 174" campaign. Teachers and administrators are buried under a blind monopolistic system of rigid central control (the California Education Code is three times as large as the IRS code). If any business were run the way the LAUSD runs the Los Angeles public schools it couldn't survive six months. But the LAUSD lurches on decade after decade enthusiastically handing out condoms, awarding A's for little more than showing up for class, and then at graduation proudly conferring diplomas on kids who can't read them anyway.

A June 1993 management review of the Los Angeles Unified School District by the Arthur M. Anderson company found that LAUSD routinely violates virtually every principle known to American business. The district has "excessive layers of management" choked by "unclear lines of responsibility" and "bureaucratic red tape." It doesn't use "objective performance measures" to hold people accountable; it performs "little long-term planning;" its decisions are "driven by rules rather than customer needs."

ONE WOULD think the educational establishment would be appalled by the effect such conditions have on student achievement. But when educators or union officials are

challenged on these grounds their first reaction is to become irate that anyone would blame them just because their students don't learn. "Am I responsible because kids come to school unfed, underclothed, abused because of an alcoholic parent or because the family is so poor they have to pick crops in the middle of the semester?" UTLA president Helen Bernstein told the California Journal's Stanley Moss last year. "Am I responsible because someone threatened them on the way to school? Am I responsible for 60 percent of kids on class roll in September not being there in June?"

"Educators . . . have not as a group failed society," wrote Arizona State University Professor David Berliner, in a recent irate attack on the critics of public schools. "Rather it is society that has failed educators."

("Yeah right," says Alibrandi. "If you produce lousy automobiles, blame the driver.")

In the early 1980s, when Joe Alibrandi, in his capacity as chairman of the Business Roundtable's Education Task Force, first tried to do something about the depressing effect of public education on both individual happiness and business productivity, his initial idea was to work with educators and teachers unions in order to pass a major reform bill. But it soon became clear, says Alibrandi, he and the educational establishment had radically different approaches to solving the problem. "As long as we talked about getting more money, more staff development, smaller class size, they gave us full support across the board but as soon as we began to talk about parents having a choice, or teacher qualifications or merit pay—whoops!—that was anathema."

IN 1989, having been involved in two or three subsequent projects, all of which were ground to powder in the public school maw, Alibrandi put together a committee of 15 or 20 people to write a parental choice initiative that would be independent of public school input or control. This initiative (the voucher plan) caught the eye of state Superintendent of Public Instruction Bill Honig, who in the summer of 1990 showed up in Alibrandi's eighth floor conference room to offer the voucher committee a deal: If the committee was willing to restrict its initiative to the public schools, Honig would help get it through the Legislature. "But if you include outside schools," said Honig, "we will oppose you tooth and nail. We have \$14 million and we will bury you."

In the end, the voucher committee turned down Honig on the grounds that a choice plan limited to public schools was no real choice plan at all. "That is like saying you can buy any kind of car you want as long as it's GM," says Alibrandi, "that you can go to any restaurant you want as long as it is McDonalds."

The CTA reacted swiftly to the rejection of the Honig compromise, contacting every educator or businessman on the Alibrandi committee (by then called EXCEL, the Excellence Through Choice in Education League) and telling them that the CTA no longer considered them friends of public employees. "As a matter of fact," says Alibrandi, "they effectively cut off second contributions from a lot of those people. One of those guys said to me, 'Joe, if I wake up in the morning and there are a lot of teachers

picketing my business up and down the state, I am out of business.' Someone else said, 'The most expensive contribution I ever made was the one I made to Proposition 174.'"

Even so, this kind of harassment was small potatoes compared to their master plan to keep the voucher initiative from ever reaching the voters. As CTA President Del Weber later explained at the 1992 summer convention of the National Educational Association (the CTA's parent union), the CTA "decided to do something very dramatic, something nobody has ever tried in the nine decades that the initiative has existed in this state. We decided to create an organized campaign to block an initiative from getting enough signatures to qualify for the ballot.

"We realized that we would be accused of acting in an 'undemocratic' manner. What was wrong, after all, with letting the people vote on an issue?

"Our answer was firm. There are some proposals that are so evil that they should never even be presented to the voters."

IT WAS not surprising perhaps that a plan that started out contemptuous of the democratic process would ultimately end up mired in allegations of deceit and fraud. Even before the signature gathering campaign started on January 1, 1992, says American Petition Consultants President Mike Arno, he was offered a \$400,000 "retainer" not to represent the voucher initiative. When he declined, the CTA, he said, paid \$500 monthly retainers to rival petitioners to tell them where his people were gathering their signatures. Then when Arno's petitioners set up their tables, flying squads of activists would appear to harass his field workers, argue with potential signers, join hands and surround the signature gatherer tables, threaten "to send [petitioners] to the hospital" and, when all else failed, offer bribes. People who had already signed petitions were asked to fill out forms asking to have their signatures removed from the ballots.

The blocking campaign was so successful, says Arno, that when he once ran into one of his petitioners at K-Mart, the man didn't even dare to have the voucher petition out on the table with all the others. "Are you carrying it?" asked Arno. The man looked around and nervously pulled it out of his briefcase. "Sign it quick," he said, explaining that the activists harassed him so much when he left it out on the table that he couldn't make a living.

The Secretary of State had suggested that all petition gatherers wrap up their signature gathering campaigns by April 17. And the CTA, assuming its strategy had been successful, dismantled its blocking operation. In the meantime, because voucher proponents still needed several hundred thousand signatures to qualify for the ballot, they continued to work for another three weeks gathering a total of 927,000 signatures (617,000 were needed to qualify). Without the teachers obstructing them in the field, Del Weber ruefully commented, "the pushers had a field day."

EVEN SO, once the signature gathering phase ended, voucher proponents were in for a rude shock. In San Diego, says Arno, an attempt was made to sabotage the petition drive.

Thirty-two people signed the petitions 10 times or more. Many more signed seven, eight, or nine times. When the San Diego County registrar of voters did her sample count, the formula she used for disqualifying invalid signatures caused so many valid ones to be discounted that the initiative failed to qualify for the November 1992 ballot.

Initiative backers were furious, as was the registrar of voters for San Diego County, Conny McCormack who, calling the situation an "unprecedented case of intentional fraud," sent a letter to the San Diego County district attorney's office. Five months later, District Attorney Edwin Miller Jr. mailed back a report, saying his office had found no evidence to support allegations of a conspiracy on the part of voucher opponents and suggesting instead that the signature gatherers might have been less than "scrupulous" about asking people to sign.

Although a subsequent full count showed that the initiative had indeed qualified for the next election, initiative backers are still fuming about what they regard as the cavalier attitude displayed by the San Diego district attorney. The only investigation the DA did, says "Yes on 174" spokesman Kevin Teasley, was ask people who had signed multiple times if they had done it intentionally. If they said no, that was it, end of investigation. They never called the initiative backers, American Petition Consultants President Mike Arno, the CTA, or the Wall Street Journal reporter who wrote a story saying he had talked to people who admitted trying to invalidate the count. "Whom did they investigate?" asks Teasley.

At the same time that activists were attempting to prevent people from signing petitions, teachers were engaging in small scale guerrilla actions all over the state. In the Tustin Unified School District, school personnel were mimeographing anti-voucher fliers and sending them home with the children. In San Francisco, when one group of signature gatherers circulated petitions outside a church (with the minister's permission), one woman became so angry, says Mike Arno, she tried to "duke it out" with the minister. "We filed suits against seven school districts because they were sending students home with [anti-voucher] leaflets stapled to their homework," says Alibrandi.

Once the initiative qualified, the CTA expected to face it in the June 1994 election, but then Governor Wilson called a special election for November 1993. In preparation, the CTA kicked its anti-voucher campaign into high gear, assessing its 230,000 members a \$19 per year anti-174 surcharge for the next three years, putting "informational" literature in every school in California and assembling a coalition of some 200 educational, professional, political, and governmental organizations. ("The most extensive coalition of public interest groups ever assembled behind any initiative campaign in California history," says anti-174 spokesman Rick Ruiz.)

TAKING ADVANTAGE of its near unique ability to mobilize bodies in every district in the state, the CTA flooded the state with 140 phone banks (covering everything but the desert and the lightly populated northeast counties). It printed buttons for teachers and sent home anti-voucher fliers in kindergartners' knapsacks. It trained a speakers corps to address everyone from Ross Perot's United We Stand to fundamentalist church groups

("Do not debate the quality of public education in California," speakers were told. "Keep your focus on what is wrong with 174.").

To guard against the possibility of a low teacher turnout, it started an absentee ballot drive ("so no teacher will have any excuse not to vote," says the CTA). It created a series of anti-voucher radio ads, TV spots, and printed bumper stickers, buttons, newsletters, and brochures by the truckload. And just in case anyone still missed the point, the September back-to-school issue of CTA Action carried 21 different articles, columns, sidebars, and jeremiads attacking 174.

So far the campaign is working just as planned. According to CTA Assistant Executive Director Ned Hopkins, an internal poll showed that 80 percent of teachers were planning to vote against Proposition 174, which, says Hopkins, is an astonishing and unprecedented show of unanimity for his union - "We have never had 80 percent of our members on one side of anything in history."

One thing that has always puzzled people familiar with the CTA is that its official politics don't come close to reflecting those of its membership. Although 35 percent of CTA members (and its current president, Del Weber) are registered Republicans, its orientation isn't just mildly left of center, it's "rabidly liberal," says Sacramento campaign consultant John Nelson. "They give 92 percent of their money to Democrats. They have consistently advocated tax increases to augment the education budget. The CTA co-sponsored Proposition 167, a bill which would have increased taxes on corporations at a time when California is suffering the worst recession in most people's memory."

For an organization purportedly dedicated to education they take positions that consistently undermine the ability of school principals to maintain standards and enforce discipline. They oppose dress codes, standardized tests, ranking of schools by test scores, home schooling, teacher testing as a criterion for job promotion, and any plan to rank teachers according to their competency. They recommend that teachers not sign petitions for charter schools (designed to give parents, teachers, and principals more autonomy). They oppose selling or leasing unused school buildings to private schools. They routinely block any bills that would allow financially strapped school districts to use parents to rake leaves, mow grass, or paint the school. Although they give lip service to the notion of greater parental involvement (the single factor with the strongest correlation to student achievement), in practice they flee from it as a vampire flees the dawn. (Teachers don't like to be bothered by parents, says one Glendale school teacher. "They interfere with our mission.")

What is their mission?

In a June 1984 pamphlet entitled "Guidelines for Academic Freedom in the Public Schools," the CTA Tenure and Academic Freedom Committee argued that one of their goals had to be to oppose the New Right's emotional appeal to social issues. "Who dares take on religion, free enterprise, patriotism, and motherhood?" argued the Academic Freedom Committee. "We do - and we must!"

Lots of organizations complain about things they don't like, but the CTA puts its money where its mouth is. "The CTA is the biggest spending lobby in the state," says Stanford's Terry Moe. "It's virtually impossible to get something out of the Legislature that the CTA opposes."

Two reasons: The CTA donates vast sums to Assembly Speaker Willie Brown to distribute to Democrat candidates. And secondly, the CTA's political director is Alice Huffman, a long time political activist (she was once state chairwoman of the Black American Political Association of California) with such close ties to Brown that newcomers to Sacramento sometimes assume she's a member of his staff.

Although the CTA has been around now for nearly 130 years, it dates its recent heady rise to power to the election of President John F. Kennedy who in return for National Education Association campaign support, quickly signed an executive order permitting collective bargaining for federal employees. Similar changes quickly followed at the state level until today, in the words of Forbes Senior Editor Peter Brimelow, teachers unions today enjoy a highly enviable status, that of "near-monopoly supplier to a government enforced monopoly consumer."

At present, the NEA's power is at an all time high with 2.1 million members (the largest union in the country) and an annual budget of \$165 million. It donated \$3.5 million to promote Clinton for president. In return, Clinton promised them if he became president, they'd be his partners: "I won't forget who brought me to the White House." This is one instance in which Clinton has actually kept his word. Whereas as governor of Arkansas, Clinton supported parental choice, competency testing for teachers, and had even once written a flowery letter to Milwaukee choice advocate Polly Williams calling her a "visionary" for her efforts to provide vouchers to inner city children, once he became a presidential candidate he attacked vouchers as a "fad" which would take "precious resources" from public schools. After the NEA helped elect Clinton president (one of every eight delegates to the Democrat National convention was an NEA member), Clinton returned the favor, according to Newsweek magazine, by inviting NEA members to every single state dinner given by the White House this year.

IN CALIFORNIA, the NEA's daughter union, the CTA is well equipped to influence the vote in that it can turn out workers on short notice in every part of the state. "Their day ends at 3 p.m.," says Myron Lieberman. "They have summers off. The union representatives can work full time during the campaign." They can man phone banks, walk precincts, or host news conferences. In low turnout school board races the fact that CTA members often vote in a bloc means they can defeat anyone who votes against their interests. After LAUSD School Board member Alan Gershman opposed certain UTLA demands in the 1989 strike in which the UTLA won a three-year, 24 percent salary increase, the UTLA helped raise a quarter of a million dollars to capture his \$24,000 per year part-time school board seat.

Three years later, with the school district in deep financial trouble (largely as a result of the 24 percent raise won by the teachers three years before), the UTLA forced the resignation of LAUSD School Superintendent Bill Anton when he asked the union to take a 12 percent pay cut in order to balance the budget without further cuts in field trips, textbooks, and maintenance.

If you oppose their agenda, Glendale Assemblyman Pat Nolan recently told the California Journal, they have a tremendous amount of money "to pour into your district and tell the voters that you hate children."

In the first quarter of 1993, the CTA spent \$2,125,472 on lobbying –more than four times the amount spent by its closest competitor, the California Medical Association. "The CTA likes to argue it's not buying votes, it's buying access," says Sacramento consultant John Nelson. "If that is the case, the CTA has bought itself a gold-plated revolving door of access.

Although the CTA likes to present its own interests as synonymous with those of children ("what's good for us is good for the kids too"), few people buy that anymore. The truth is the CTA is a labor union, says Maureen DiMarco, Governor Wilson's secretary of child development and education: "They shouldn't be mistaken for an educational organization." Sacramento Bee Editor Peter Schrag puts it more bluntly, calling the CTA "probably the most reactionary of the major professional organizations in American education" - "it often resists anything not in its own interests or contrary to established routine."

Consider for example the case of Newport Beach Senator Marian Bergeson who, when she was still in the Assembly in 1981-82, proposed a bill that would allow students in the bottom quartile of school achievement to go to either another public or non-parochial private school, transportation provided. "It was specifically aimed at low income parents," says Bergeson. Even though the bill satisfied many of the objections the CTA now says it has with Proposition 174 in that it didn't aid parochial schools or help the middle class, the CTA bottled it up in committee. (A decade later when Governor Wilson nominated Bergeson to replace Bill Honig, the CTA remembered her having once flirted with vouchers and blocked the appointment.)

IN 1989, ever alert to the threat of vouchers, the CTA had nine parental choice bills killed in a single day by having them referred to "interim study." Two years ago, Assemblyman Gil Ferguson of Newport Beach offered a bill to offer \$3,000 scholarships to students from schools that scored in the bottom 10 percent on state standardized tests so that they could attend the private school of their choice. Naturally, says Ferguson, "the CTA was furious. They killed it in the education committee." They did the same thing to Assemblyman Quackenbush when, four years ago, he first introduced a bill to allow students to transfer between school districts. On that occasion, he says, CTA supporters "vilified" him, delivered "diatribes" against his bill, and claimed that in giving parents the right of interdistrict transfer he was encouraging both white flight and paving the way for vouchers. For four years straight the CTA opposed Quackenbush's bill. It was only this

year –after 174 qualified for the ballot and Quackenbush agreed to a 1 percent cap on the number of students who could transfer out of large districts like the LAUSD each year – that the CTA dropped its objections and the bill became law."

As to why it took so long for the CTA to pass something that was overwhelmingly favored by parents from every ethnic and social class (according to a 1990 Gallup poll upwards of 70 percent of persons interviewed favored choice), Quackenbush says the CTA needed time to adjust to the philosophical proposition that "children are the property of their parents and not the school district."

ACTUALLY, IT'S not completely clear that the CTA and its educational allies in the fight against vouchers have adjusted to that proposition yet. In a revealing peek at the essentially totalitarian mentality of the educational establishment, the Association of California School Administrators (quoted by K.L. Billingsley in the October Heterodoxy) takes the position that, contrary to the beliefs of parental choice proponents, the purpose of education is not to provide individual students with an education but rather only "a means to the true end of education, which is to create a viable social order to which individuals contribute and by which they are sustained. 'Family choice' is, therefore, basically selfish and anti-social in that it focuses on the 'wants' of a single family rather than the 'needs' of a society."

For people who believe they are working for the good of society against the "evil" of the opposition, it's not difficult to justify breaking the law on behalf of what you see as a greater good –all of which may be the reason that reports are flowing into the "Yes on 174" office from all over the state concerning the unethical or illegal use of school equipment and facilities to defeat Proposition 174. After the start of the school year at Twin Creek Elementary in San Ramon, east of Oakland, school teachers showed up in classrooms wearing "No on 174" tee-shirts and buttons; at the Folsom Cordova Unified School District employees copied an anti-174 flier on school duplicating equipment in violation of state election laws and sent the fliers home with kids; in Glendale, anti-voucher videos were shown in the teachers' lounge; at back-to-school nights, school employees prevented pro-174 people from distributing their literature even though they allowed anti-174 literature to be passed out freely.

"There are a whole lot of examples of the use of public resources and public funds to take partisan positions against 174," says Manuel Klausner, a Los Angeles attorney who represents the "Yes on 174" campaign. "The incidents range from the [illegal] use of letterhead and Xerox facilities of school districts to using the teachers during the workday to send partisan literature home with young school children."

Because the violations are so widespread, says Klausner, the "Yes on 174" campaign has asked the state attorney general to conduct an investigation. And if that doesn't produce quick results, the campaign may resort to filing additional lawsuits. "There is personal liability by any public official for the wrongful expenditures of public funds for partisan political purposes," says Klausner. Rick Ruiz, press secretary for the "174 No" campaign dismisses reports of illegal use of public funds and facilities saying he neither knows of

any such activities nor condones them. "On the other hand," he says, "there are millions of citizens who are very concerned about this initiative, and they all have First Amendment rights. If [the "Yes on 174" campaign] has specific incidents they should bring them to the attention of the authorities. Otherwise, I think they should try and figure out how they are going to run their own campaign."

What Ruiz is referring to are recent poll results showing Proposition 174 trailing statewide by six points and running no better than even in Republican strongholds like Orange County. Frankly, crow's Ruiz, "this initiative is in serious trouble."

So much so in fact, says CTA Assistant Executive Director Ned Hopkins, that the goal now isn't merely to defeat Proposition 714 ("it would only be back in a year or two") but to drive a stake through its heart—crush it two-to-one. "Then," says Hopkins, "this thing would go away and die for 15 or 20 years."

TO POLITICAL scientist Terry Moe, if the education establishment thinks that parental choice is going to go away, they're living in an ivory tower. It's not just Milton Friedman and a few libertarians out there anymore. "Now there is a genuine movement. And it's not just California. It's an expression of something happening around the world. Nations and states are moving away from old style command and control and moving toward free markets."

The education establishment might not know it yet, says Ken Khachigian, but the truth is "they have already lost the battle. The entire state is debating how good they are, debating the bureaucracy, talking about low test scores, violence in schools. They have done such a horrible job and disserved our students so badly that this [whole issue has become] a train heading down the tracks. And whether it gets there now or six years from now it is going to get there and when it does it will sweep the country. That's why they are so frantic."

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