------- Forwarded message -------

From: Bradley Tusk
Date: Wed, Feb 17, 2010 at 10:23 AM
Subject: Updated deck

To: keaney...., lasher...., John White, "Joe Williams (joewilliams@dfer.org)"
<joewilliams@dfer.org>, "Lenny Speiller .............. __________________________
Van Keerbergen
Cc: Shelley Capito

With edits we've received from the group.

--
-Lenny
Giving the Charter Movement the Political Organization it Needs
The Problem

Even though charter schools have grown in number and size in New York, they are faced with several key problems:

1. Political support for charter schools is not nearly strong enough

2. Opponents like the UFT see charters as a threat and are organized effectively to maintain the cap and equal funding

3. The organizing and grassroots efforts to date all have had some success, but are not a unified, sophisticated political campaign with a single message, voice and purpose
Obstacles

- Charter opponents have a significant grip on the leadership of the Assembly and Senate, which continue to block meaningful reform.

- These leaders don’t fear any repercussions if they cross the charter school/reform lobby – yet they do fear crossing the UFT.

- There are two types of barriers that stand in the way of solving this problem and the lack of support:
  - Practical barriers to charter growth (funding, charter cap, lack of facilities)
  - Political barriers to charter growth

- It is impossible to solve the practical barriers without first overcoming the political barriers.
Overcoming the Political Barrier

(1) Use **Race to the Top** as an organizing tool to help pass legislation this Spring.

(2) Pull together a campaign that amasses the collective weight and influence of the charter school movement to **maximize resources and engage the public and impact legislative perception**.

(3) Launch an aggressive free media campaign to **define the issue and its opponents, influence legislators and influence elections**.

(4) Put together a robust field program to **identify and activate parents, supporters and voters**.

(5) **Aggressively use paid media** to shape public opinion and influence legislators and elections.
Approaches and Goals

Using the tools on the previous slide, there are three overall goals to pursue:

(1) **Pass meaningful legislation** this year to lift the charter cap, equalize funding, and remedy the flaws in the state’s Race to the Top application

(2) **Make charters a force in the 2010 elections and be able to successfully take on the UFT**

(3) **Build a long-term sustainable political operation**
Approaches and Goals

(1) **Legislation:** Do everything possible to pass a charter friendly bill before the next Race to the Top deadline that lifts the cap and remedies the flaws in New York’s application.

- Commit to **help incumbents who support the cause**
  - Fundraising, petitioning help, independent expenditures

- Commit resources against incumbents who are unhelpful
  - Fundraising, petitioning help, independent expenditures

- Launch **positive and negative free and paid media campaigns** and quickly work to educate the public about the good charter schools provide and why their opponents are blocking growth

- Launch a **heavy lobbying campaign** using all resources and supporters
Approaches and Goals

(2) **2010 Elections:** Use the September primaries and November general elections to elect helpful candidates and un-elect unhelpful incumbents. Use that message to establish a real presence going forward.

- **Back challengers to charter school opponents by:**
  - Independent expenditures for paid media
  - Raising money for candidates
  - Providing grassroots field help including petitioning to help challengers get on the ballot
  - Using the free media to drive negative messages against our opponents
- **Select key legislative supporters and provide real assistance to help ensure their re-election**
- **Be prepared to take on and define the UFT and effectively respond to their attacks**
(3) **Building a Sustainable Organization:** Even with success this session and creating the right impression this election season, **without a sustained**, sophisticated political operation, future issues and needs will still be imperiled.

- Create and demonstrate the ability to turn any legislative issue into a political issue that **impacts a member’s viability and positioning back in the district**

- **Publicly define charter schools ahead of the UFT’s spin**

- Develop a robust voter list that is **regularly informed and engaged to voice their opinions to legislators and to the media** (press events, rallies, calls, letters, emails)
  - The list could include charter school parents, parents who want to send their children to charter schools, voters likely to support charter schools, etc…
Specific Campaign Components
Frame Around Race to the Top

Use Race to the Top as the organizing tool for the legislative fight

- Race to the Top is easy to understand and the press (rightfully) sees the $700 million at stake as a very serious issue

- Passing legislation needed to support the application is a tangible goal that supporters can rally behind

- Failing to secure available federal funding in the midst of awful budget times plays into the perception of dysfunction in Albany

- However, it is important to keep in mind that issues like lifting the cap may not mean much to parents of children already in charter schools
  
  - Other issues like the FY11 budget may also need to be used to help motivate and mobilize supporters
Unite the Charter School Community

Pull together the collective weight and influence of charter schools, charter school parents and supporters.

- There are currently 165 charter schools with over 50,000 students in New York State

- There is a significant constituency that can be mobilized:
  - The charter school community and their financial supporters
  - Parents of the students who attend charter schools
  - Parents whose children are on the waiting list
  - Parents who would like to send their children to charter schools

- Since parents are ultimately loyal to the charter school operators they interact with every day, having the active buy in and participation of a number of key operators is important
Free Media

Launch an aggressive free media campaign

- Develop a **constant media presence** to shape public opinion
  - Launch an extremely aggressive media plan that has key spokespeople (charter school operators, elected officials, community leaders, celebrities, etc…) constantly on **tv and radio**, **writing letters to the editors and op-eds**, blogging, and holding events and rallies.

- **Define charter schools** in a way people can easily grasp and support (and use polling to know what does and doesn’t work)

- Ensure that charter school advocates **use consistent language** when talking publicly about why charter schools are good, why the legislation is critical, and why the opponents are wrong

- Make sure the press understands the new force being created so they take it seriously and treat it as a **significant entry onto the political scene**
Free Media

- Reframe the issue and stop allowing the UFT to shape the narrative as “public school parents and teachers against charter schools and the DOE”
  - Take advantage of the multiple public meetings happening in the next month or so on charter space
  - Make the UFT’s indefensible positions the focal point

- Take advantage of other opportunities to create extensive free media coverage
  - Field activities like rallies, parent-legislator meetings, petition presentations, and events like the charter school fair and the opening of the two new pro-charter documentaries
Free Media

- Create some distance between legislators and the UFT.
  - If legislators don’t think that their constituents care about the UFT, then they’re free to stick to the UFT agenda and reap the benefits.
  - If they see their own constituents protesting, marching, and rallying against the UFT, then blindly supporting the union becomes a lot harder.
  - The fight shouldn’t be the UFT vs. City Hall and DOE, and it shouldn’t be charter school parents and advocates vs. all other parents. It should be “charter school parents and supporters vs. the UFT.”
Field Activities

Identify and activate charter school parents, supporters and voters in key districts

- Get them signed up to flood their Senators and Assemblymembers with emails, calls and letters, attend rallies, march on Albany, and march on the UFT

- Determine the profile of a typical voter who could be a potential charter supporter and use existing voter information to identify potential supporters beyond charter school parents

- Parent meetings with legislators proved effective in the Mayoral control fight
  - We should seek and hold as many as possible
Field Activities

- Launch a church program to **have key surrogates in churches across the city talk about the issue every week**
  - Collect signatures for petitions to the electeds in that area to support the effort

- Launch a **broader petitioning drive** just like collecting signatures to get on the ballot
  - Visibly **start voter registration of charter school parents and supporters**
Opportunities for Organizing

- **Harlem Education Fair**, Feb. 27:
  - Use this opportunity to organize and drum up support from a group that could potentially be our base

- **Charter School Lottery Season**, March & April:
  - Work with Center for Charter School Excellence to identify “open” charter school lotteries and staff with fieldworkers

- **Reform Movie Releases**, Spring:
  - Two movies are premiering offer a means for getting the right messengers out front to talk about the need for reform
  - Both films present our opponents in an extremely unflattering light
  - Arrange for Albany screenings for legislative staff
Opportunities for Organizing

- Make “Lobby Day” a monthly occurrence:
  - The union lobbyists have a constant presence in the statehouse, this would give us an opportunity to counterbalance that presence.

- Hold weekly district office visits/ protests (if necessary):
  - Assigning ten people a week to visit each district office to either push for legislation or protest a legislator’s positions would have a major impact.
Using Paid Media to Target Voters

Use paid media -- tv, radio, mail, internet, phones -- to target voters in key districts to achieve multiple goals:

- Help the public clearly understand why charter schools are good and why their opponents are wrong

- Influence public opinion in key districts and show legislators that message can continue all the way through Election Day
  - Both in districts of key legislators and vulnerable legislators

- Influence voters to help elect charter supporters and un-elect opponents

- Support helpful legislation, oppose harmful legislation, and make sure legislators know that taking bad positions will consistently be met with paid media that lets their constituents know about it
Entity, Fundraising, Next Steps
Entity, Fundraising

- The campaign will be directed by Education Reform Now, an affiliate of Democrats for Education Reform (DFER)
  - This allows us to take advantage of DFER’s credibility and relationships with charter school operators, donors, legislators and other advocates, political sophistication and independence

- Education Reform Now will put together a team of field organizers, press staff, and campaign staff, and work with political professionals, to run all aspects of the operation

- However, we intend to work closely with a host of existing charter school advocacy groups to incorporate everyone’s strengths and resources

- In order to fund a campaign of this magnitude, we need to raise approximately $10 million to have a real impact on the legislative cycle before the June 1 deadline and for elections this September/November
Preliminary Budget

Budget Allocation

Paid Media (Legislative): benchmark poll, mail, TV, phones, radio, internet ads, production

Election/ Campaign Involvement: vulnerability poll, mail, phones, TV, field, production

Free Media: staff, research, policy work, events, social media, organization building

Field/ Organizing: six staffers, voterfile/database, literature, paraphernalia

Other: election law compliance, etc.
Next Steps

To begin, we need to take a few steps quickly:

- Start raising money and putting together the infrastructure to support the campaign
- Draft legislation, find sponsors and launch a plan to pass both chambers
- Poll to determine messaging that resonates best detailing reasons to support charters and oppose the efforts by the UFT to block growth
- Develop an aggressive paid and free media effort to quickly influence legislation and upcoming elections
- Select candidates to support and oppose for the September primaries and November general election
- Start developing the database to identify potential supporters and start doing field activities to influence legislators, legislation, and the upcoming elections
Couple of thoughts: call out wait-listed parents and educators at charter schools; put in more (12%) for field and reduce pd media to 50%.

From: Lenny Speiller  
To: Klein Joel I.  
Cc: John White ; Bradley Tusk ; Shelley Capito ; Gawkoski Krista  
Sent: Wed Feb 17 11:31:12 2010  
Subject: Charter Deck  
Joel -

Attached is a deck that Bradley was hoping you could take a look at before Friday's meeting. We've all reviewed it, made edits and feel good about it, but of course, wanted to provide you with an opportunity to spin through as well, and at least be familiar with the contents.

Best,  
Lenny

---------- Forwarded message ----------
From: <btusk@tuskstrategies.com>  
Date: Wed, Feb 17, 2010 at 10:23 AM  
Subject: Updated deck  
To: _______keane:

, John White <joewilliams@dfer.org>, "Lenny Speiller Van Keerbergen  
Cc: Shelley Capito

With edits we've received from the group.

--  
-Lenny
I talked to Phoebe about it this AM,

I am trying to set up a time for you and I to talk with Phoebe about the Center board and adding members who help us connect with communities of color.

I just got off the phone with Phoebe and she let me know that both Mon and Tues of next week (the 22nd & 23rd) are good time for her. Does that work for you?

The two people that I mentioned to Phoebe are the Rev. Brawley of Brooklyn and Pastor Carolina of Staten Island.

You may remember Rev. Brawley from the work he did on Mayoral Control and the fact that he has helped to spearhead the creation of the Imagine Me charter school. Pastor Carolina, formerly of the Bronx, has a congregation on the north shore of Staten Island; he is interested in leading a team to apply for a charter in the future.

Both come highly recommended by City Hall.
Your message was delivered; however, please update your address book with my new contact email address:

Our website address has also changed to www.nycCharterSchools.org

Thanks for noting these changes.

Outlook users: please right click on my business card to add my new information to your contacts.

James Merriman
New York City Charter School Center
Chief Executive Officer

(212) 437-8302 Work

111 Broadway
Suite 604.
New York, NY 10006
www.nycCharterSchools.org

James D. Merriman
Chief Executive Officer

NEW YORK CITY CHARTER SCHOOL CENTER
111 Broadway, Suite 604, New York, NY 10006
T: 212.437.8302 F: 212.227.2763
www.nycCharterSchools.org

It's about great public schools
From: James Merriman
Sent: Thursday, February 18, 2010 1:45 PM
To: Klein Joel I.
Subject: RE: Roland

Let me reach out. Sorry, didn't get to this.

James D. Merriman
Chief Executive Officer

NEW YORK CITY CHARTER SCHOOL CENTER
111 Broadway, Suite 604, New York, NY 10006
T: 212.437.8302 F: 212. 227.2763
www.nycCharterSchools.org

It's about great public schools

-----Original Message-----
From: Klein Joel I. [mailto:JKlein@schools.nyc.gov]
Sent: Thursday, February 18, 2010 12:14 PM
To: James Merriman
Subject: Roland

You going to be able to help him?
good

From: James Merriman
Sent: Thursday, February 18, 2010 2:15 PM
To: Klein Joel I.
Subject: RE: New Contact Information

Opportunity CS.

James D. Merriman
Chief Executive Officer

NEW YORK CITY CHARTER SCHOOL CENTER
111 Broadway, Suite 604, New York, NY 10006
T: 212.437.8302 F: 212.227.2763
www.nycCharterSchools.org

It's about great public schools

From: Klein Joel I. [mailto:JKlein@schools.nyc.gov]
Sent: Thursday, February 18, 2010 2:09 PM
To: James Merriman
Subject: RE: New Contact Information

Who dat?

From: James Merriman
Sent: Thursday, February 18, 2010 2:07 PM
To: Klein Joel I.
Subject: RE: New Contact Information

And Lenny G is standing down. We're on a roll.

James D. Merriman
Chief Executive Officer

NEW YORK CITY CHARTER SCHOOL CENTER
111 Broadway, Suite 604, New York, NY 10006
T: 212.437.8302 F: 212.227.2763
www.nycCharterSchools.org

It's about great public schools
Thanks, good meeting with ibo.

Your message was delivered; however, please update your address book with my new contact email address:

Our website address has also changed to www.nycCharterSchools.org

Thanks for noting these changes.

Outlook users: please right click on my business card to add my new information to your contacts.

James D. Merriman
Chief Executive Officer

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www.nycCharterSchools.org

It's about great public schools
From: Klein Joel I.  
Sent: Thursday, February 18, 2010 7:02 PM  
To:  
Cc: Kittredge chorowsky petry White John williams  
Subject: Re: Democracy Builders

John White on my team and Joe Williams, both copied above.

From: Bryan Lawrence  
To: Klein Joel I.  
Cc: Kittredge chorowsky petry  
Sent: Thu Feb 18 18:51:59 2010  
Subject: Democracy Builders

Democracy Prep, KIPP, and Public Prep are pooling resources to build collective parent outreach. Point person is Jeremiah Kittredge, who has been so effective at mobilizing Democracy Prep parents.

It would be good to have Jeremiah in touch with people you are working with. Am copying him and other collaborators on this - whom should Jeremiah contact at your end?

Thx
Talked to David. He'll open the call and give to Joel.

Alan Schwartz, the board chair, is now going to be on the call, which is good.

Joel, three key things to get across:
1. We are at a crucial moment and we will not win if we don't change to start doing what works.
2. Learn was right for a specific challenge; now we have a different challenge and need a strategy specific to that challenge.
3. That strategy is both short-term and long-term: a campaign to accomplish the immediate, and an organization to sustain on the ground.

Bradley and Joe, as we discussed, there are going to be some people who are going to have concerns re politics and concerns re legalities. Need to say up front that some funding will be right for c3, others for c4. There are options for funders.

Talk to you at 4:30.
Some overweight billionaire.

----- Original Message -----
From: tusk
To: Klein Joel I.
Sent: Fri Feb 19 17:08:36 2010
Subject: Re: Thanks

Happy to do it. Who's the heavy breather on the call? Normally, I'd ask them to mute their phone but I don't want to alienate any donors. :) -----Original Message-----
From: Klein Joel I.
To: Bradley Tusk
Subject: Thanks
Sent: Feb 19, 2010 5:06 PM

You were terrific. Perfect pitch, perfect message.
Excellent news. We'll also talk with counsel so there's clarity on what can be funded by which entity.

On 2/19/10, Klein Joel I. <JKlein@schools.nyc.gov> wrote:
Called. Very positive. Prioritizing the difficulties of the lift -- things for RH to support v. things for individuals to support. Staff will follow up with Bradley. Thanks to all.
i think the "showing principals how to do this" and "tracking" is part of our compact with them. they all want to help now, but they are being clear about the need for hand-holding from our end.

dacia, dave, evan, and eva have all pledged to do what we ask, provided we are clear about what we are going to need and give them time and modeling about how to do it.

On Fri, Feb 19, 2010 at 6:37 PM, White John <JWhite8@schools.nyc.gov> wrote:

Just had a good talk with Dacia, who is much more committed to this than I’ve ever heard from AF before.

She thinks she needs someone who always tracking AF-specific organizing campaign. Doesn’t have to work for AF but would really be dedicated to showing principals how to do this, tracking, and planning. Gets that this is the long-term piece, but clearly excited not to lose momentum of Weds.

J

John C. White
New York City Department of Education
(212) 374-5580

--
Joe Williams
Executive Director
Democrats for Education Reform
24 W. 46th St. Suite #4
New York, NY 10036
www.dfer.org
is going to run the op-ed that we submitted for joel on their teacher quality push.

thanks again. natasha will be happy.

joe

--
Joe Williams
Executive Director
Democrats for Education Reform
24 W. 46th St. Suite #4
New York, NY 10036
www.dfer.org
Wrote her, will see what she says.

Ellen Winn
Director, Education Equality Project
212.253.2021 (office)

As you know, we’re working hard w/ DFER & many others to put together this statement of principles around ESEA to get out there as the equity voice. Plan is to release next week and to try to drum up press, attention, etc. We’ve got a solid list of signers (below), which is not complete, imagine we’ll add quite a few more before we release. EdTrust, who we’ve been working w/ closely on this, decided today NOT to sign on. It’s not a question of content; they’ve asked us to make a set of changes that we’re currently in the midst of implementing. They don’t disagree w/ the substance, rather Haycock prefers to be slower and more detailed.

They are a big voice on equity and I think NOT having them on the list begs the question of where they are and could be divisive. Was just discussing w/ Joe who mentioned that Eli was frustrated w/ the reformers not playing nice, etc.

Would you be at all inclined to shoot Kati a note encouraging them to sign on?
Thanks, Ellen

- Citizens' Commission on Civil Rights
- Civic Builders
- Colorado Succeeds
- ConnCan
- Democrats for Education Reform
- Education Equality Project
- The Hope Street Group
- The Mind Trust
- National Council of La Raza
- Parent Revolution
- Rodel Foundation of Delaware
- State of Black CT
- Texas Institute for Education Reform
Sent from my Verizon Wireless BlackBerry

From: "Jetton, Steve"  
Date: Fri, 19 Feb 2010 18:32:56 -0600  
To: Joe Williams<joe@williams@dfcer.org>  
Subject: RE: op-ed on HISD teacher quality initiatives from Joel Klein, NYC Schools Chancellor and founder of Education Equality Project

Joe,

Joel Klein’s op-ed will be published in Sunday editions. Thank you for offering it to us.

Steve Jetton  
Outlook Editor  
Houston Chronicle

From Joe Williams  
Sent: Wednesday, February 10, 2010 10:07 PM  
To: Outlook; Viewpoints  
Subject: op-ed on HISD teacher quality initiatives from Joel Klein, NYC Schools Chancellor and founder of Education Equality Project

(Please see the proposed op-ed on HISD teacher quality reforms for Houston Chronicle from Joel Klein, NYC Schools Chancellor and founder of the Education Eqiality Project.)

Op-Ed for Houston Chronicle

Both research and experience tell us that teachers matter. In fact, they matter more than any other factor that we can control in a student’s education — more than dollars spent per student, class size, or the type and quality of text books. No reform is more critical to closing the nation’s shameful achievement gap than boosting the quality of teachers in high-poverty schools. “The single most important factor in determining [student] achievement is not the color of their skin or where they come from,” says President Obama. “It’s not who their parents are or how much money they have—it’s who their teacher is.” Without “the right people standing in front of the classroom,” the Hamilton Project at the Brookings Institution concludes, “school reform is a futile exercise.”

The Houston Independent School District (HISD) is taking a critical step to ensure that all its students are taught by top-notch teachers. Superintendent Terry Grier — who has long been a true warrior in the national fight to close the achievement gap — is making an important move: he is recommending that the teacher evaluation process include an examination of student achievement data. The data will look at how much learning a student
gains over one year. This type of data is called “value-added,” meaning that it only analyzes the change across one year relative to where a student begins; a leveling of the playing field that allows us to isolate teacher impact. Value-added data will be one element in a set of criteria that are used to gauge a teacher’s effectiveness in the classroom.

To be sure, value added analysis is still a work in progress and methodological challenges remain. Yet for all its imperfections, value added analysis is a vast improvement on the existing system, which fails to address the one question that really matters: Compared to other educators with similar students and facing similar challenges, how well are a given teacher’s students actually acquiring the knowledge and skills they need to succeed in life? While experts debate the finer points of the value-added model, it is now clear that, at minimum, it is a fair way to identify those teachers who are truly failing our students. Value-added data should never be the only metric by which we assess teachers, but honestly, how can it not be in the mix?

In Houston, parents should commend their insistent and persistent HISD Superintendent Terry Grier for his effort to close the racial and ethnic achievement gap by ensuring that every child is taught by an effective teacher. Grier is a signatory of the Education Equality Project (www.equality.org), a bipartisan advocacy organization of elected officials, civil rights activists, educators, and other leaders who believe eliminating this gap is the most pressing civil rights issue of our generation. And Houston is among a handful of cities leading the nation in closing the achievement gap.

Joel Klein, Chancellor NYC Public Schools and Co-Chair, Education Equality Project

--

Joe Williams
Executive Director
Democrats for Education Reform
24 W. 46th St. Suite #4
New York, NY 10036
www.dfer.org

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If you have received this communication in error, please notify the sender immediately by e-mail and delete the original message.
I will let you know what she says.

From: Ellen Winn  
To: Klein Joel I.; williams  
Sent: Sat Feb 20 00:31:46 2010  
Subject: Re: ESEA Statement  
Am I missing something? Why would it not make sense to speak w/ one strong equity voice?

Ellen Winn  
Director, Education Equality Project  
212.253.2021 (office)

From: Klein Joel I. <JKlein@schools.nyc.gov>  
To: Ellen Winn; williams  
Sent: Sat Feb 20 03:20:55 2010  
Subject: Fw: ESEA Statement

From: Kati Haycock  
To: Klein Joel I.  
Sent: Fri Feb 19 22:12:14 2010  
Subject: Re: ESEA Statement

Joel: We should talk about this. Question whether this makes sense.

Kati Haycock  
President, Education Trust

This message sent from Verizon Blackberry

----- Original Message -----  
From: Klein Joel I. <JKlein@schools.nyc.gov>  
To: Kati Haycock  
Sent: Fri Feb 19 20:48:40 2010  
Subject: ESEA Statement

Understand Ed T not prepared to sign on. Anyway to get you there? Thanks for considering.
----- Original Message -----  
From: Seligman, Nicole  
To: Klein Joel I.  
Sent: Sun Feb 21 19:46:56 2010  
Subject:  

No (Tenured) Teacher Left Behind  

The Wall Street Journal writes that tenure rules hurt efforts to reform the teacher corps.  

School reformers generally agree that the most important education resource is the teacher. But one of the biggest obstacles to putting a good instructor in every classroom is a tenure system that forces principals to hire and retain teachers based on seniority instead of performance.  

California grants tenure to teachers after merely two years in the classroom. New York, like most other states, makes teachers wait a grand total of three years before giving them a job for life. In most cases tenure is granted automatically unless administrators object, which is rare.  

A recent report in the Los Angeles Times revealed that the LA school district, the nation's second-largest after New York City's, "routinely grants tenure to new teachers after cursory reviews—and sometimes none at all." According to the Times, "the district's evaluation of teachers does not take into account whether students are learning. Principals are not required to consider testing data, student work or grades."  

This means that large numbers of ineffective teachers wind up with ironclad job protection. When low-performing teachers can't be fired, it's the students who suffer. A New Teacher Project study last year looked at tenure evaluations in multiple states and found that "less than 1% of teachers receive unsatisfactory ratings, even in schools where students fail to meet basic academic standards, year after year." Less than 2% of teachers are denied tenure in LA, where the high school dropout rate is 35% and growing.  

Nevertheless, teachers unions do everything in their power to preserve this tenure status quo. In 2005, when California Governor Arnold Schwarzenegger backed a proposal to extend the probationary period for new teachers to five years, the California Teachers Association spent more than $50 million to defeat it. In New York, a union-supported law that bans the use of student data in making tenure decisions helped disqualify the state for hundreds of millions of dollars in federal Race to the Top grants.
Even when bad schools close, which happens all too rarely, teachers from those schools take jobs at replacement schools or are sent to work at other schools in the system. And union contracts typically allow those with seniority to bump younger colleagues from other schools, even if the younger teachers are getting better classroom results.

In New York City, Schools Chancellor Joel Klein has managed to change the rules that forced principals to hire teachers from shuttered schools based strictly on seniority. But even if no school will hire these teachers, they cannot be fired and they continue to receive full salary and benefits. Mr. Klein says that maintaining this "absent teacher reserve" costs $100 million a year.

It's not impossible to get rid of bad teachers, but it's extremely hard and expensive. A report this month in LA Weekly noted that in the past decade the Los Angeles Unified School District "spent $3.5 million trying to fire just seven of the district's 33,000 teachers for poor classroom performance."

The result? Four were fired, two others were paid large settlements and one was reinstated. The paper also reported that 32 underperforming teachers were initially targeted for removal "but then secretly paid $50,000 by the district, on average, to leave without a fight."

The good news is that school reformers are making progress in some areas. Charlotte, North Carolina, allows teachers to be fired for poor performance. Chicago limits the amount of time a teacher without a job can continue receiving pay and benefits. Starting next year, teachers in Houston can lose their jobs if students fall short on standardized tests. Florida and Louisiana have moved to strike last-in, first-out provisions from collective-bargaining agreements.

The Obama Administration has made teacher accountability a major theme of its education agenda. Let's hope its Race to the Top selections reward school districts that are actively working to reform the teacher corps and change a tenure system that puts job protection ahead of learning.
Understood. Thanks.
James Merriman
NYC Charter School Center
111 Broadway, Suite 604
NY, NY 10006

----- Original Message ----- 
From: Unger Harmon <Unger2@schools.nyc.gov>
To: James Merriman; Michael Duffy
Cc: Konstan Elayna <EKonsta@schools.nyc.gov>; Peterson Sarah <SPeterson3@schools.nyc.gov>
Grimm Kathleen <KGrimm@schools.nyc.gov>
Sent: Sun Feb 21 20:34:17 2010
Subject: Re: if you guys do it....

Please be advised that the school has limited capacity and only 1400 people will be admitted to the building due to building code restrictions. The forecast is also for inclement weather conditions. Since we have not allocated an overflow site, only the first 1400 people will be admitted to the meeting. Planning must be strategic on your part. I will inform you of scenario changes.

Harmon Unger
Deputy CEO for
Safety & Security

Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: James Merriman
To: Duffy Michael; Unger Harmon
Sent: Sat Feb 20 11:22:56 2010
Subject: RE: if you guys do it....

2000-3000 seems to be the figure--we’ll get a better count on Monday. It could be south of the low number depending on when buses arrive from various locations but want to be conservative and estimate high so that we have sufficient resources for crowd control, etc.

From: Duffy Michael [MDuffy12@schools.nyc.gov]
Sent: Saturday, February 20, 2010 11:19 AM
To: James Merriman; Unger Harmon
Subject: RE: if you guys do it....

Hey James,

Here is what Harmon told me last night:
How many are we expecting at the rally? Have to talk to NYPD to determine where it can be held. He has to contact the community affairs officer from the 10th Pct located on 20th St between 7th and 8th AVES.

Michael

-----Original Message-----
From: James Merriman
Sent: Sat 2/20/2010 11:10 AM
To: Duffy Michael; Unger Harmon
Subject: RE: if you guys do it....

Mr. Unger: 
look forward to working with you.

From: Duffy Michael [MDuffy12@schools.nyc.gov]
Sent: Friday, February 19, 2010 7:27 PM
To: James Merriman; Unger Harmon
Subject: FW: if you guys do it....

James, meet Harmon Unger, the key public safety guy at the DoE.

Harmon, James is the CEO of the Charter Center and is going to be organizing a rally of charter parents prior to the PEP meeting on Wednesday. He wants to do everything he should be doing to get permits, work with NYPD, control the crowd appropriately, etc.

-----Original Message-----
From: James Merriman
Sent: Fri 2/19/2010 5:27 PM
To: Duffy Michael
Cc: Jeff Maclin
Subject: RE: if you guys do it....

I think it is a go. I will coordinate with Jenny S however. Please connect me with whomever we are going to need to deal with permits.


James D. Merriman
Chief Executive Officer

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From: Duffy Michael [mailto:M Duffy12@schools.nyc.gov]
Sent: Friday, February 19, 2010 5:10 PM
To: James Merriman
Subject: RE: if you guys do it....

I think there are schools that would do it if the Center leads, that won't if Eva does...Eva will be bringing the most bodies to be sure, but it will hurt us if this is just seen as "her" rally

Dave Levin and KIPP have 700 parents coming. the other charters are committing a total of another 750. Eva's 900 gives her the biggest contingent, but by no means the only one.

From: James Merriman
Sent: Friday, February 19, 2010 5:08 PM
To: Duffy Michael
Subject: RE: if you guys do it....

Talking with Eva actually about it.

James D. Merriman
Chief Executive Officer

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From: Duffy Michael [mailto:MDuffy12@schools.nyc.gov]
Sent: Friday, February 19, 2010 4:51 PM
To: James Merriman
Subject: if you guys do it....

..I want to connect you with the head of school safety for the Department..I understand the street is going to be closed off (24th, between 8th and 9th Ave)

What is the considered wisdom out of 111 broadway
Ok thanks.

Harmon: Can you please give me a contact for the PD.

James D. Merriman  
Chief Executive Officer  

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-----ORIGINAL MESSAGE-----
From: Duffy Michael [mailto:MDuffy12@schools.nyc.gov]
Sent: Monday, February 22, 2010 9:43 AM
To: James Merriman; Unger Harmon
Cc: Konstan Elayna; Peterson Sarah; Grimm Kathleen; Jeff Maclin; Grant Christina; Haynes Aquila
Subject: RE: if you guys do it....

Hey James,

The capacity of the auditorium at this venue is limited to 1400. With 2 days to go before the panel meeting, it is difficult to imagine the location being changed.

I have not heard or seen any evidence that the UFT or anyone else is organizing around this meeting. I think that most of the turnout will be driven by the dozen charter schools on the agenda.

It seems to me that the pre-meeting rally will be the main opportunity for all of the parents to participate; entrance to the auditorium at the school will be first come, first served. The doors will open at approximately 5PM; there will be two lines set up: one for those wishing to speak, and one for those who just want to go inside. There is no plan for an overflow room, and like I said above, it is difficult to imagine the venue being changed at this late date.

Harmon has said that the exact location for the charter parent rally is something that you should work out with the NYPD, whether it is 24th street, 25th street or some other nearby location.
Harmon,

Can you just clarify a few points so that we can communicate with schools on this.

Our understanding is that the auditorium capacity was around 2500-3000. Were we mistaken or is the capacity issue tied to some other code issue rather than simply number of seats in the room that bring capacity down to 1400. I ask because schools will ask us and want to know precisely what the issues are.

What are you plans for admitting people, i.e., how early can people get there and be admitted? How early can people get there and line up outside the building to be admitted. Right now schools are projecting turn out (just on the pro charter side) of something like 2500-3000 people. I imagine the other side will have hundreds as well.

Are there any plans at all for having an overflow room(s)? Are there any plans for moving to a larger venue?

We are still inclined to go ahead with the rally and would like to speak to you about logistics etc. Yes, we are aware of the weather but as you will understand, the parents and leaders feel passionately about this issue and will come out rain or shine. Obviously, if there is consideration to change the venue, then we will need to be informed as soon as possible.

Would it be possible to schedule some time on the phone to go over these and other questions. We are available all morning.

Thank you,

James

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Talked it over at length with Harmon. Also talked internally and with Jenny S. I think for the following reasons, we are going to not try to set up a stage do a rally.

1. The main purpose is to get our people into the limited seating that there is—that means getting them into the two lines ASAP. A rally with speakers will distract people and make it harder to get them where they need to be.
2. The two lines, about a hundred feet apart, make it hard to site a stage and get people involved.
3. Inclement weather means the stage couldn't be just a simple platform—we'd have to get a covered stage is my guess and that costs a lot more money.
4. People will be arriving at 4:30 and not a lot earlier. Doors will now open earlier—again, we need them in line not in front of a stage.
5. We want the media images to concentrate on people speaking at the rally and cheering during the meeting to counteract the opposite images.

Instead, we will concentrate on having parents with bullhorns (who have asked for a role) walking up and down the line getting other parents fired up.

All in all, I just don't think the benefits merit the substantial costs.

We are left however, with the issue of having approximately 2500 planned attendees and 1100 seats short. Harmon tells me that there is no over flow room (the gym being separated from the auditorium by 3 floors or something like that. Other spaces don't seem to work either.

Any thoughts on this. Do you mind if I email Joel to try to get him to push people to get an overflow space, even if imperfect and make sure that at a minimum it is synched for audio? Might not do any good and I'm sure you have tried, but want to do all I can.
Let me know.

James D. Merriman
Chief Executive Officer

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http://www.nyccharterschools.org/meet/blog

You might be interested in our latest post on the Fordham Foundation's report on inequalities in school demographics across the country—and the question of why vast differences intra and inter district among unionized schools don’t draw the union’s ire but little differences in charter v district demos do.

j.

James D. Merriman
Chief Executive Officer

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I don’t kid the chancellor about (hings like that. Now whether all show…
James Merriman
NYC Charter School Center
111 Broadway, Suite 604
NY, NY 10006

----- Original Message ----- 
From: Klein Joel I. <JKlein@schools.nyc.gov>
To: James Merriman
Sent: Mon Feb 22 18:00:29 2010
Subject: RE: new blog post on Fordham Foundation report

Serious?

-----Original Message-----
From: James Merriman
Sent: Monday, February 22, 2010 5:56 PM
To: Klein Joel I.
Subject: Re: new blog post on Fordham Foundation report

2500
James Merriman
NYC Charter School Center
111 Broadway, Suite 604
NY, NY 10006

----- Original Message ----- 
From: Klein Joel I. <JKlein@schools.nyc.gov>
To: James Merriman
Sent: Mon Feb 22 17:53:32 2010
Subject: RE: new blog post on Fordham Foundation report

How can they not see that this was coming? Or maybe it doesn’t matter. I suppose you can still fool some of the people all of the time. How many people you going to have from charter community this Wednesday?

From: James Merriman
Sent: Monday, February 22, 2010 5:47 PM
To: Klein Joel I.
Subject: RE: new blog post on Fordham Foundation report
Just wait a little longer . . .

James D. Merriman
Chief Executive Officer

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From: Klein Joel I. [mailto:JKlein@schools.nyc.gov]
Sent: Monday, February 22, 2010 5:47 PM
To: James Merriman
Subject: RE: new blog post on Fordham Foundation report

I was waiting for this. Why not whack them on their charters - low ieps and ells - don't know their poverty rates. But you would think they would lead by example, no?

From: James Merriman
Sent: Monday, February 22, 2010 5:22 PM
To: Phoebe Boyer; Emary Aronson; Joseph H. Reich; Geoffrey Canada; Jeffrey Litt; Klein Joel I.; Duffy Michael
Subject: new blog post on Fordham Foundation report

<http://www.nyccharter-schools.org/meet/blog>
inter district among unionized schools don’t draw the union’s ire but little differences in charter v district demos do.

j.

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Chief Executive Officer

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Good call.

From: James Merriman
Sent: Tuesday, February 23, 2010 2:22 PM
To: Klein Joel I.
Subject: RE: mona davids

Once funder decided that she was unstable, and no further funding was available, she went to the highest bidder. She would have ended up there anyway because that is who she is. She was bad news from the get go.

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From: Klein Joel I. [mailto:Klein@schools.nyc.gov]
Sent: Tuesday, February 23, 2010 2:20 PM
To: James Merriman
Subject: RE: mona davids

How did it happen?

From: James Merriman
Sent: Tuesday, February 23, 2010 1:54 PM
To: Klein Joel I.
Subject: RE: mona davids

Because she is now in the pocket of the union (as I predicted 3 months ago).
Why is she calling for a moratorium on co-location?

---

From: James Merriman
Sent: Tuesday, February 23, 2010 1:23 PM
To: Klein Joel I.
Subject: RE: mona davids

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From: Klein Joel I. [mailto:Klein@schools.nyc.gov]
Sent: Tuesday, February 23, 2010 1:14 PM
To: James Merriman
Subject: mona davids

What school does her kid go to?
From: Klein Joel I.
Sent: Wednesday, February 24, 2010 9:24 AM
To: williams
Cc: williams
Subject: Re: Ed Trust and our ESEA Principles

Will let you know when I hear.

----- Original Message ----- 
From: Ellen Winn
To: Klein Joel I.
Cc: williams
Sent: Wed Feb 24 09:12:21 2010
Subject: Ed Trust and our ESEA Principles

Joel - I assume no word from Kati? Seems the EdTrust/TFA difference of opinion around measures for teacher effectiveness may be a much larger/longer issue. Tx, Ellen

Ellen Winn
Director, Education Equality Project

212.253.2021 (office)

Folks:

As some you know, the IBO came out with a report this morning on charter funding. Our statement follows. I consider this incredibly good news for the charter sector. Up to now, we’ve been in a he said/she said thing. Now they have to admit we are underfunded and for schools not in DoE space by a lot. While the IBO puts the figure at a mere $305 for charters in district space, the actual amount is greater for the reasons set forth below.

As some of you also know, the IBO staff was pretty sure that it could show the exact opposite and in earlier drafts did. DoE budget and charter school office did great work in brushing them back. What is fascinating (ok, make that predictable I’m sad to say) is that when the numbers showed charters getting more (in an earlier draft), the report was short and the verbiage almost painfully neutral. Now that the numbers are unfavorable to them and their friends, the report reads like an advocacy brief, including quoting the UFT report. Shame on them.

Please do congratulate Joel, Michael and the DoE team for their excellent work on this.

James

STATEMENT FROM NEW YORK CITY CHARTER SCHOOL CENTER ON INDEPENDENT BUDGET OFFICE REPORT ON CHARTER-DISTRICT FUNDING DISPARITIES

February 24, 2010 (NEW YORK) – The New York City Independent Budget Office (IBO) released a report today comparing district school per-pupil funding with charter school per-pupil funding. The report found that charter schools that do not have access to Department of Education classroom space receive $3,017 less than children in district schools to educate their students. The report also found that charter schools that share space with district schools in DOE buildings still receive $305 less per pupil. The New York City Charter School Center released the following statement from its CEO James Merriman today on these funding disparities.

“Today’s report from the Independent Budget Office confirms what we’ve known in the charter community for eleven years: charter schools get less funding than district students, a disparity that is patently unequal and unfair. When you add it up, the gap between district schools and charters isn’t even close, particularly for those charters that do not share public space. Averaged across all charter schools, the gap (using IBO numbers) is roughly $2000.

“While we welcome that the IBO report confirms the charter school funding disparity and finally puts to rest claims by a number of advocacy groups that charter schools get more, the fact is the report quite severely understates the gap for the following reasons.

- Since the study’s data were collected, charter schools’ per-pupil funding has been frozen even as district spending continues to rise and by substantial amounts.
- The study also does not make comparisons at the neighborhood level; because the City has rightly directed more resources to district schools in high needs neighborhoods, the gap for charter schools in those same neighborhoods is much wider—showing that charter schools do in fact do more for less.
The IBO attributes the full debt service load to charter schools in DoE space, however charter schools presently do not own that space and, as the IBO notes, are there as a matter of policy. Either this amount should be discounted or charters should get equal legal rights to DoE buildings.

The IBO calculates start up costs as if they were ongoing and reoccurring expenses, which, of course, they are not.

We have not had time to calculate the dollar value of these factors, though we estimate that the funding disparity for a charter school in a high-needs neighborhood (where the vast majority of charter schools are located) is actually northwards of $2,000 this year (and possibly much more) even when the charter school is in a district building. For charter schools in private space the disparity is far greater still.

In the wake of this report, it is our sincere hope that advocacy groups that purport to support a high quality public education for all students, and which believe that equality in funding is a non-negotiable part of this struggle, will join with charter school parents, teachers and leaders to press for additional charter school funding, including co-location of charters in public school space. We would welcome them if they joined us in a march to Albany to ensure that charter school students receive simple justice.

James D. Merriman
Chief Executive Officer

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STATEMENT BY CHANCELLOR KLEIN IN RESPONSE TO INDEPENDENT BUDGET OFFICE FINDING THAT NEW YORK CITY CHARTER SCHOOLS RECEIVE LESS FUNDING PER STUDENT THAN OTHER PUBLIC SCHOOLS

"The Independent Budget Office’s new study puts to rest charges that charter schools pull a disproportionate share of funding away from other public schools. The reverse is actually true. Charters located in public school buildings receive $300 to $900 less per student than district schools and charters located in private space receive $3,000 less per student than district schools.

"The IBO study validates the city’s policy of offering public space to charters schools in an attempt to provide charter students with the same resources as their peers in other public schools. Until the state’s funding formula is revised and charter schools are eligible for capital dollars like other schools, we will continue to work with communities and parents across the city to find space for new charters when it is available and presents the right fit with other schools in a building.

"All of our public school students, whether they attend charter schools or district schools, deserve a high-quality education. Despite the financial handicaps detailed in the IBO study, charter schools in New York City have been exceptionally effective. Charter students outperform students in district schools by seven points in both reading and math, and, in one of two recent studies establishing the effectiveness of city charters, researchers found that the longer students remain in our charter schools, the higher their achievement compared to similar students in district schools.

"I thank the Independent Budget Office for its analysis of this complicated and contested issue."

**A copy of Chancellor Klein’s detailed response to the IBO report, including a discussion of areas where DOE’s findings differed from the IBO’s, is attached. The IBO report may be accessed at http://www.ibo.nyc.ny.us/iboreports/charterschoolsfeb2010.pdf.

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Contact: David Cantor / Jack Zarin-Rosenfeld (212) 374-5141
From: Klein Joel I.
Sent: Wednesday, February 24, 2010 11:20 AM
To: merriman
Subject: Re: IBO report on charter funding

Thx

From: James Merriman
To: Geoffrey Canada ; Jeff Litt ; Klein Joel I.; Duffy Michael; Emary Aronson ; Boyer, Phoebe ; Joseph H. Reich
Cc: Christina Brown
Sent: Wed Feb 24 10:41:24 2010
Subject: RE: IBO report on charter funding
And, also please congratulate Joel on a great op ed in the Daily News on charter schools.


-----------------------------------------------------------------------------------------------------------------

James D. Merriman
Chief Executive Officer

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