

Showdown over schools / So much unsaid in vote on charter -- Ballot silent on underlying issues beginning to emerge

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The proposed wording that will confront Memphis voters in the March 8 schools referendum reads as follows: "Shall the management and control of the Memphis City School System be transferred to the Shelby County Board of Education?"

Twenty words, 122 characters - briefer even than the limit on a Twitter message.

Rarely, if ever, have so few words carried so much power - whether the "yes" or the "no" receives a majority, the systems of public education in Shelby County will be forever changed.

"Yes," and MCS, chartered in 1869, dissolves and becomes part of Shelby County Schools.

"No," and MCS remains autonomous while the all-suburban Shelby County Schools intensifies its drive to achieve permanent separation from city students by becoming a special school district and freezing its boundaries.

"Yes" and, at least initially, the 14th-largest school district in the nation arises, with 150,000 students - approximately 105,000 city students with 45,000 in the suburbs.

"No" and the all-suburban Shelby County Schools test scores will continue to be among the best in the state (if middling nationally) rather than dragged down by the poor scores from the worst-performing, most-impooverished Memphis schools.

For those who want to cast the first votes, there isn't much time to deliberate - on Feb. 16, a Wednesday, early voting begins at the Shelby County Election Commission's Downtown headquarters, then expands three days later to 16 satellite sites throughout the city.

It is on those issues where the ballot question is silent that activists will work to determine the election.

It says nothing, for example, about taxes.

How much might they go down in Memphis, if at all? How much might they go up in the county? Would debt and taxes be suppressed if the county no longer faced spending \$3 on city school construction for every \$1 spent in the suburbs?

And if it's not approved and SCS gets special district status, would Memphis taxes soar ?

Nothing on the ballot mentions educational outcomes.

Would Memphis students in a district with a median income of \$36,535 benefit by combining with the much more affluent suburban system, with a median income of \$83,998? With the gargantuan administrative task of merging the systems giving administrators less time and energy to focus on teachers, would that impede classroom instruction - or might it help it?

Nothing's on the ballot about who would be in charge during the transition.

Will the Shelby County Board of Commissioners be allowed to immediately appoint most of a new transition board of up to 27 members? Would the currently all-suburban, all-white, almost all-male county schools board have full control and, if so, would the members follow their lawyer's advice and give current MCS board members an equal say in transition plans?

All sides of the debate will try to assure voters they have correct answers on these and other questions. Who the voters trust on this information - or even if they choose to vote on data rather than emotion - will be key, says Rhodes College political science professor Marcus Pohlmann.

Pohlmann's 2008 book, "Opportunity Lost: Race and poverty in the Memphis City Schools," examined the decline of Memphis schools and even included a section on the possibilities and potential pros and cons of consolidation .

"At some point between the mass media and some of the forums, hopefully it lets us keep the discussion more factual," Pohlmann said.

MCS board member Dr. Jeff Warren has seen the emotional reaction already, suffering a backlash from constituents he trusts over his

relentless effort to broker a compromise with SCS.

"This is a political trainwreck as far as the ability to have reasoned and rational thought process prevail automatically," Warren said. "The whole thing is not just about this issue. The whole thing is about the history of how we got to where we are now . "

Those emotions, Warren believes, are making it difficult for voters to understand what to make of those facts - or mistruths - that are emerging.

But Daniel Kiel, a University of Memphis law professor whose work has closely examined previous school controversies here, warns that in the coming days and weeks, the problem facing voters will not be too little information.

It will be sorting through conflicting and competing information . Already, some TV stations have aired entire segments on issues like spanking (SCS allows it, MCS does not) and school uniforms (MCS has it, SCS doesn't).

"You can so easily get lost in the details that you miss the big picture, and that will really define how education will look over the next 25 years," Kiel said. He mentions talk of forced busing as an irrelevant distraction since the ever-more conservative federal judges would be unlikely to allow much less mandate it.

"The details are going to be fought over and litigated now, but 25 years from now, they won't matter so much as the big picture."

Battle lines drawn

In the days leading up to the Shelby County Election Commission setting the referendum, proponents and opponents were coalescing their forces.

Memphis Mayor A C Wharton was moving steadily from a position recommending against MCS surrender in December to supporting the right of only Memphis voters to determine its city schools' future to, most recently, inching very close to outright support of the referendum.

On conservative talk-show host Ben Ferguson's show Thursday, Wharton worked to calm fears that the forced consolidation would disrupt learning. If it wasn't outright endorsement of merger, he's separated himself completely from those convinced the risks and potential unintended consequences of forced consolidation are too much.

On Monday's Martin Luther King Jr. holiday, Wharton was sitting behind the altar at Monumental Baptist Church with Gov. Bill Haslam as preacher Carl Greer, the president of the Memphis Baptist Ministerial Association, brought home a thundering sermon taken from Judges in the Bible that was a thinly-veiled argument against dissolving MCS.

But even Greer was acknowledging not all of the ministers' congregants are following them on this issue. He chided the lukewarm response to an anti-referendum message from Rev. LaSimba Gray, the minister of a southeast Shelby County church who lives in Collierville .

"Half us didn't even clap," Greer said. "You been drinking that Kool-aid."

Something similar could be said about the stance of labor unions - led by the Memphis Education Association, they are delivering flyers, often with what critics call wildly misleading information, against the vote.

"DON'T SURRENDER," screamed big bold letters on a flyer with logos of the MEA, AFSCME (American Federation of State, County and Municipal Employees) and the Greater MDC (Memphis Democratic Club).

The unions are arguing a merger will mean job losses, even among teachers, despite state law clearly protecting all existing rights of teachers during consolidations.

Whether those teachers disgruntled with MCS in general or MCS superintendent Kriner Cash in particular will stick with the union's view is another story.

The very evening the election commission set the referendum, Memphis' Stand For Children chapter hosted a forum at Bridges balanced with activists on both sides, including SCS board chairman David Pickler's aggressive opposing views.

After Pickler and MCS board member Martavius Jones, the leader of the YES brigade, had finished, everyone in the room save for two people raised their hand to say they had been persuaded to vote "yes."

That jibes with the Memphis e-mails and phone calls coming to MCS board member Betty Mallott, who represents the easternmost half of the district and voted against the Dec. 20 motion surrendering the charter and asking for a referendum to transfer control from the MCS special school district to the county.

But Mallott, who spent a career in human and organizational development and leadership, cautions she believes those bucking for

change are much more likely to raise their voices than those who prefer the status quo.

She also receives some vociferous e-mails from non-city residents promising to fight in the courts and flee the county. But now that the referendum is set and the Tennessee Atty. General has ruled the election is for city voters only, the campaigns will focus entirely on persuading Memphians - unlike the failed Nov. 2 government consolidation campaign that risked city votes with an all-out focus on placating suburban concerns.

That doesn't mean the converse won't be true - suburban interests working hard to help those in the city opposed to the referendum block its passage.

Is timing everything?

State Sen. Mark Norris, who is also the leader of state legislative efforts to prevent Memphis voters from having the only say in the matter, pushes one argument above all others.

"Why the rush?" is how Norris' Memphis public-relations ally, Amy Howell, put it introducing a Q & A blog post she produced for him.

"We have never been at such an important crossroad and we must not rush through it," Norris said on the post.

MCS board president Freda Williams made the argument in voting for the county agreement that MCS requires detailed planning for charter schools to win its approval. Therefore said Williams, a retired longtime MCS employee with an education doctorate, going to a referendum without a plan is irresponsible.

But Jones showed at Tuesday's board meeting and Wednesday's forum his sales pitch for the referendum has grown more concise and more potent the more he delivers it. And key to that message is the exact opposite of the "What's the rush?" argument.

The time is now, says Jones, arguing that if MCS does not dissolve now, the suburban interests will find reinforcement in the state legislature and in the courts.

Pohlmann sees the merits in Jones' strategy: "This is about as close as we've ever been (to consolidation) and though it's hard to predict it's as close as we'll ever get, that's not an unfathomable argument."

Lessons from the past

Kiel, the law professor, has focused some of his work on the way in which the integration of Memphis schools failed long term because the debate was controlled by extremists on both sides constantly raising the noise level on issues secondary to education.

Racist school boards and administrators illegally violating federal laws led to intense backlash and mistrust from integration activists that eventually got Memphis a forced-busing plan Kiel believes contributed to a mass exodus from city schools.

"The fact that education got pushed so far down the scale of importance during that time certainly had negative effects in a variety of ways," Kiel said. "The hope is that isn't lost here at this moment. This does have an educational impact. Whatever decision is made has to have educational grounding."

Inside

Q & A: Primer on charter surrender issues.

Q: What happens to the non-teaching staff at MCS if voters approve the referendum?

A: Only teacher jobs are protected by state statute, which means approximately 7,000 janitors, cafeteria workers, electricians, teachers' aides, groundskeepers and others potentially would have to apply for new jobs with Shelby County Schools.

If they are not hired, they would lose their health insurance like most unemployed workers.

Non-tenured teachers in both city and county systems would be in the same boat.

There is little known about how seniority among people in non-teaching jobs would transfer.

Q: Is the \$90 million pledged by the Gates Foundation lost if MCS surrenders its charter?

A: A spokesman said the foundation is committed either way - to a continued Memphis City Schools or a consolidated Shelby County Schools - as long as effective teaching and improved outcomes for all students remains a top priority.

SCS board chairman David Pickler said the county has its own teacher effectiveness plan. While he said the Gates Foundation has indicated an interest in discussing how the work in Memphis could transfer to a countywide district, he said "we have a different teacher effectiveness model, and it is very effective."

- Jane Roberts

Have questions you'd like answered? E-mail them to jjones@commercialappeal.com

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