

# NO TIME TO QUIT

By Miles Myers

(This article summarizes ideas that came up in two workshops sponsored by the United Educators of San Francisco.)

In the nation's first school desegregation case, on February 13, 1931, in Lemon Grove, California, the Mexican parents of Roberto Alvarez went to court to stop the Lemon Grove Grammar School from denying access to Mexican children. A victory for Roberto in the local court stopped the case from reaching the U.S. Supreme Court. But the same issue did reach the U.S. Supreme Court almost twenty-two years later (1953) when the Black parents of ten-year-old Linda Brown sued the Topeka (Kansas) School Board, demanding that skin color (and race) not be used to deny her access to her neighborhood public school. Unlike the Lemon Grove court, Topeka courts did rule that skin color could be used to deny Linda's entrance to the nearby public school and, thus, the case was appealed to the Supreme Court. Her local public school, she said, was her gateway to opportunity, and thus, that gateway should not be blocked by segregationist policies. She won.

This year, the 50<sup>th</sup> anniversary of *Brown vs. Topeka*, California public schools are still the primary gateway to opportunity for most of California's citizens, but many of California schools, like many more across the nation, are facing a struggle for existence. The fact that teachers across the country spent their dues money to win and implement *Brown* appears to some teachers today a dubious heritage.<sup>1</sup> In recent teacher meetings I have attended, many California teachers—young and old, Asian, Black, Latino, and white—have, in so many words, asked, "What did the *Brown* decision accomplish for public schools ("We are still segregated!"), where did things go wrong, and how do we get out of our present mess?" Clear answers to these questions, even if only tentative suggestions, are a necessary step to the future. So, what follows is a shot at it.

## **What Have We Accomplished and What Have We Learned?**

Our first accomplishment in the 50 years since the *Brown* decision is that we, the country's public school teachers, learned that students, whatever their color, can have access to a neighborhood public school and still find that entry is not enough to get an equal opportunity. Access also has to include special help for those who are behind. In 1964, ten years after *Brown*, the California Federation of Teachers and its affiliated organizations contributed to the passage of Title I, thereby getting special help for poor students who were behind in reading and mathematics.

But entry and help “to catch up” were not enough if the school does not have equal access to some level of adequate financial resources for all of its students. Because California school districts had large variations in property wealth (\$1 per \$100 of property wealth generated \$176 per pupil in Baldwin Park and \$1,340 in Beverly Hills), some students had no school resources, and others had plenty. In 1970, the California Federation of Teachers joined a statewide coalition to get equal funding for all students. After a Los Angeles student (Serrano) sued the state treasurer (Priest), the State courts ruled that schools had to have equal access to equal state funding (1971). The court, however, did not specify what was “adequate.”

But equal funding and equal access to entry to the school does not mean that students have equal access to programs within schools. For example, in the 1960s, women and special education students were traditionally denied access to school sports programs, to academic specialties, to a whole range of school activities. In 1972, in San Diego, the CFT organized its Women in Education Committee, a group that quickly nurtured new leadership and sharpened the CFT’s attention to gender issues. The same year, with the support of almost every teacher organization, the Title IX amendment was passed to reduce the use of gender as an obstacle to access to programs, and in 1975, again with the broad support of teacher organizations, federal legislation gave special education students greater access to programs.

Next, in 1974, 1,800 students of Chinese ancestry had physical access to San Francisco schools, but the San Francisco schools refused to provide English instruction so that these students might have access to the ideas in textbooks. Members of the California Federation of Teachers, appearing before the San Francisco Human Rights Commission, asked, “How can we help immigrant students learn if we do not have help teaching them English?” This issue came to a head when Kinny Timmon Lau, a six year old San Francisco student, and his mother, a Chinese widow working in a local, non-union sweatshop, hired a lawyer to sue Alan Nichols, the president of the San Francisco Board of Education. The U.S. Supreme Court ruled in *Lau vs. Nichols* (1974) that California schools, in order to provide an equal opportunity, had to provide English instruction for students who did not know English. The result was a change in programs for immigrant children throughout the nation.

But a student could have equal access to entry (*Brown vs. Topeka*), to “catch-up” help (Title I), to state funds (*Serrano vs. Priest*), and to the language of schooling (English in *Lau vs. Nichols*) and still not have access to an adequate K-12 curriculum (course content, trained teachers). In a series of cases in Kentucky, Alabama, and elsewhere, the courts ruled that students have a civil right to an adequate K-12 education (1985-1995) because an adequate K-12 education is the foundation for opportunity in jobs, citizenship, and personal growth. In other words, an adequate K-12 education became in the 1990s a civil right.

But if an adequate K-12 education is a civil right, how do we define adequacy? The courts suggested that an adequate K-12 education could only be defined by answering two critical questions: (1) What should students learn in K-12 schools and (2) What K-12 school conditions enable students to learn? The second question has been ignored by government at every level, until recently. To answer the first question (What should students know and be able to do?), states in the 1990s began to describe “adequate” course content (state standards) for each subject area, to define “adequate” teacher training (credentials and staff development), to design state tests that were an “adequate” reflection of the standards, to establish levels of student achievement on test results (below basic, basic, proficient, honors) and to select one level as “adequate.” As usual, most states made plenty of mistakes in most of these definitions, despite protests from teacher organizations. Nevertheless, an adequate K-12 education was now a civil right, and both the state and the federal governments had a new role in monitoring the availability of that right.

In summary, then, we have accomplished a great deal in elaborating what “access” and “equity” mean, and, as a result, we have established a new Civil Right, an education right, for all citizens. But we have failed to reach our goals in many areas of the struggle.

### **Where Have We Failed?**

First, we have achieved the racial integration of the teaching and administrative staff in the public schools. At the same time, we have failed to integrate students in the public schools.

Second, we have accomplished the equalization of funding (Serrano-Priest) in the public schools. But we have failed to get adequate resources. The Legislature equalized funding by putting a cap on the top districts—in other words, by making all California school districts equally poor. In addition, according to John Mockler, putting a cap on high spending districts like Los Angeles, Oakland and San Francisco created a penalty for poor students, most of whom lived in high spending districts like Los Angeles, San Francisco and Oakland. Also, according to Mockler, the Legislative cap on funding schools with property taxes contributed to the 1978 property tax revolt of Howard Jarvis and Proposition 13 (“Property taxes do not fund schools anymore so what do I care?”).

The net result has been that the old tradition of California being in the nation’s top ten in spending has been long gone. In 2002-2003, California ranked 28 out of the 50 states in per pupil spending (NEA). California spends \$7,055 per pupil, nearly \$4,000 below New York State and only about half of what the District of Columbia spends. Thus, California teachers are being asked to do above average work with way below average financial support for the state’s schools. And to make matters worse, the No Child Left Behind Act, the extension of Title I, has not delivered on its promise of more funding. Senator Edward Kennedy has commented that NCLB demands massive changes in

schools on “a tin cup budget.”

Next, by using Proposition 13 to move California’s public school governance to Sacramento, we have accomplished “coherence and alignment” in the leadership from the Governor’s Office and from his appointees to the State Board of Education. Some have argued that because K-12 education is a civil right, it needs even more direction from Sacramento. However, at the same time that we have centralized curriculum planning in Sacramento, away from local boards and local schools, we have, says James Guthrie, undermined local involvement in schools and, some say, undermined the educational quality at school sites.

How has the centralization at the State Board and Governor’s Office undermined educational quality? First, although many courts have called for Opportunity to Learn Standards (OTLS) and although the 1994 Goals 2000 Legislation, signed by President Clinton, insisted that States had a responsibility to define OTLS, the California State Board, using its centralized authority, refused to act and blocked all efforts on OTLS. What are OTLS? Andrew Porter was one of the many researchers who outlined the specifics of Opportunity to Learn Standards, which specify the “adequate” *conditions* of learning (standards and tests specify the “adequate” *content* of learning): the specification of a base-line for class size, staff development investment, building space, textbook budget, duty-free lunch, a competitive salary to hire the best teachers, and so on.<sup>2</sup> Why did the California State Board block this necessary definition of “adequate” learning conditions? Because the State Board members, who are appointees of the Governor, have supported poverty level funding for California schools and blocked every effort to get the Governor to take the lead on this costly reform. The members of the State Board have consistently refused to face their responsibilities.

Because the centralized authority in Sacramento refused to lead, local and regional groups in California have had to act. CFT’s members and their locals have participated over the years in hundreds of protests, presentations, and picket lines charging that California schools are not being adequately funded to provide “adequate” learning conditions in schools. Some suits have been filed charging that students are being denied an opportunity to learn, a violation of their civil right to an “adequate” education. One of these Opportunity to Learn suits is the Williams case, filed in San Francisco in May 2000.<sup>3</sup> This case argues that the public schools of San Francisco have appalling conditions for learning—no books, crumbling buildings, teacher turnover, not enough teachers, no paper to write on, filthy restrooms, not enough custodians, over-crowding, unsafe hallways, and so on. The list of issues before the court looks like a summary of the contract demands of the United Educators of San Francisco. The question is whether the State Board and the Governor will resist, dodge, or accept the results of these cases. Thus far, the State has argued in Court that it is not responsible for the inadequate conditions within schools.

The second centralization problem is the State Board's decision to save money for testing companies by denying local teachers access to the actual tests and the actual answers of individual students on state tests. The public and the teacher are not allowed to know. All that the state will release are a few sample items, hundreds of numbers, hundreds of interpretations of numbers, and various clusters of test items in various categories of learning. All of this is called "test results" and "test security" by the State Board of Education; but "test results" is another name for second-and-third-hand reports about what tests actually show, and "test security" is another name for increasing the profits of the testing companies, allowing these companies to use old test items over and over and avoiding any review by the general public and teacher committees of the CFT of the actual items and individual responses of students. Because teachers are not allowed to see the actual completed tests of individual students in their class, they are not being allowed to analyze the actual performance of their students and, thereby are not allowed to sharpen their understanding of the learning needs of the students in their classes. Not even the College Board gets away with this on the CB achievement tests. Imagine a medical practice where doctors were not allowed to see the actual lab tests of individual patients! The State Board has created a kind of blinded-fold environment for teachers.

The third centralization problem is the partnership that the California State Board of Education has formed with the federal Department of Education to control local programs through the "No Child Left Behind" Act and its definitions of "scientific studies." The Board and NCLB have worked to establish single source contracts for educational materials on the grounds that some materials are "scientific" and some are not. What is "scientific" is defined in State Board and NCLB policy, not in the on-going peer review common in scientific communities. This problem is not limited to educational practice. In an open letter, the Union of Concerned Scientists has charged that this problem is pervasive in the present administration:

When scientific knowledge has been found to be in conflict with its political goals, the administration has often manipulated the process through which science enters into its decisions. This has been done by placing people who are professionally unqualified or who have clear conflicts of interest in official posts and on scientific advisory committees; by disbanding existing advisory committees; by censoring and suppressing reports by the government's own scientists; and by simply not seeking independent scientific advice.

The letter was signed by 60 senior US scientists, including 20 Nobel prize winners, such as the physicists Steven Weinberg and James Cronin and the biologists Eric Kandel and Harold Varmus. Similar letters have been written by education scientists charging, for example, that reading research has been manipulated to enrich a few textbook companies and private program providers. One

method of manipulation is the federal government's definition of "science" in legislation. For example, in the No Child Left Behind Act, passed on January 8, 2002, the phrases "scientifically based research" and "scientifically based reading research" appear 111 times. What do these phrases mean? They primarily refer to "studies of treatment and non-treatment groups with randomized assignment of students."

Although it is probably a reasonable idea to expand the number of randomized studies in education, it is clearly a bad idea to deny federal and state support for other kinds of studies. The Federal Government should not be using Legislation to define what "scientifically valid" means in education. Lisa Towne, representing the National Academy of Science and co-editor of the Academy's Scientific Research in Education, testified before Congress on this same problem in the reauthorization of OERI: "The problem with this bill is its inclusion of definitions of scientifically valid...methods... The problem is with their use as a federal mandate" (Towne, 2002).<sup>4</sup>

What is the proper role of the Federal and the State Government in the shaping of teaching practice? The proper role of Government is to promote research-based decision-making in schools, especially among teachers considering problems of practice. It is improper for Government to be mandating how teachers should teach. Why? For one thing, one cannot go from a scientific finding directly to a mandate for all classroom lessons. Says Robert E. Stake, "...you cannot draw simple lessons from randomized trials." Teachers are more like engineers; they want to know the findings in science about falling materials, but they work in areas with an assemblage of materials, all falling at different rates. Nobel Prize winner Herbert Simon has a name for the sort of thing teachers do—"The Science of the Artificial":

- "What a person cannot do he will not do no matter how much he wants to."
- "Engineering, medicine, business, architecture, and painting [and teaching] are concerned not with the necessary but with the contingent—not with how things are but how they might be—in short with design."
- "...it is typical of many kinds of design problems that the inner system consists of components whose fundamental laws of behavior ...are well known. The difficulty of the design problem often resides in predicting how an assemblage of components will behave."
- "The decision maker has a choice between optimal decisions for an imaginary simplified world or the decisions that are "good enough," that "*satisfice*..." [Simon's construction—ed.].

In the complex world of the classroom, where learning problems vary from one individual to another, the key to good decision making is not the latest mandate from central office or State Board or Federal Government, but the decision processes of the individual teachers in the classrooms. In medicine, for instance, every announcement about a scientific breakthrough ends with the statement

“Consult your local doctor.” Teachers unions should demand that every package, program, and so-called “scientific finding” should be required to have a warning: “Do not use without consulting your local teacher.” On education programs, Californians consult the State Board of Education, most of whom have never taught a K-12 classroom in any California city. The California State Board ignores the critical difference between science (the findings of randomized trials) and the Science of the Artificial (Lesson Design). One group of successful school districts have petitioned to escape the State Board’s mandates, and, as a result, we now have a growing division between State Regulated Schools, loaded with mandates and often said to be getting low scores (almost always in poverty areas), and State Unregulated Schools, free of mandates and getting high scores.

The fourth centralization problem is that the State Board, the centralized authority, has built in accountability for everyone except itself. In a democracy, centralized authority without accountability quickly loses its credibility. The California State Board has none. At present, the State Board picks the standards, picks the tests, picks textbooks, and then designs curriculum and staff development mandates telling teachers how to teach their classes. Then if the student scores go down, the State Board applies punishment to teachers, administrators, and schools, never to itself. Even after five years, the State Board’s mandates on teaching reading have not raised the State’s test scores out of the bottom half. Maybe there is something wrong with the mandates themselves.

### **How do we get out of the mess?**

First, California needs a new finance system, one that provides the money needed for a quality education. Michael Kirst has argued that we should throw out the whole school finance system. The Williams case could be the political opening.

Second, California needs a new governance system, one that returns curriculum leadership to teachers, administrators, and local boards. James Guthrie has argued that the State Board should focus on standards and tests and then let districts work on the means to get there. In other words, the State and Federal Government should get out of the business of telling teachers how to teach in individual classrooms. School sites, using processes which could be negotiated in local contracts, should be given more authority in the selection of curriculum materials, staff development programs, principals, custodians, secretaries, and teachers. Some school committee structures and the peer review programs, used by some California districts (for example, Poway and other local remnants of the CFT’s Trust Agreement project), provide suggestions for how to organize these processes. The Local Board, which signs the contract, could, of course, ask community groups to review the processes and results. The primary point is that State and central office mandates about how to teach have failed to improve student achievement. It is the duty of the State to adopt Standards and Tests

to measure those Standards. The CFT, along with others, has a duty to criticize those Standards and the failure of State Tests to measure State Standards. For example, the California Federation of Teachers in 2002 delivered 3,000 signatures to the governor's office describing the state's test as racially and culturally biased, "unfair and inappropriate for our students." But the question of how to teach in individual classrooms must be reserved for local teachers working within the processes negotiated at the local level. In some cases, teacher unions will have to give up their romance with State policy and State centralization and work for the return of some controls to the local level where teaching actually takes place.

Third, California's educational organizations need a new emphasis on local organizing. By using national policy to tell local teachers how to teach, national organizations have sucked the life out of local and even state organizations. Yes, national staff like the emphasis on national policy because such an emphasis makes national staff (and national officers) look more important. But most of the staff in national offices have never organized at the local level, and they have no notion about the vitality of organizations that keep many substantive decisions at the local level. The same argument can be made about state organizations. As a result, teachers can end up being disenfranchised by national and state organizations that do not defend and enhance practitioner discretion and decision making. Parents suffer from this same problem, allowing national and state policy forums to substitute for their direct involvement in their local schools.

In summary, the California Federation of Teachers and its affiliates have undertaken an enormous task—to save California's public schools by making them better and, at the same time, by ensuring a quality education for all of California's children, and by renewing the vitality of local decision making and organizing. The Brown decision has been assimilated into our lives—its heroes already enshrined, Sandra Feldman repeating many of these themes in her farewell speech. But its history reminds us that much work—and new work—remains to be done. If Brown vs. Topeka taught us anything, it taught us that this is no time to quit.

#### Footnotes

1. The AFT in particular supported the Brown decision, going to court to express that support. In addition, immediately following the Brown decision, the AFT adopted a policy excluding any AFT local that blocked membership based on race. Both of these points were part of Sandra Feldman's Farewell Speech at the AFT Convention on Wednesday, 24 July 2004. There is no doubt that AFT locals throughout the country helped pay for civil and legal action to establish and implement the Brown decision. For example, in 1958, the Oakland Federation of Teachers supported the election

of the first black Board member in Oakland, California, Barney Hilburn, and in 1962, the OFT, joined with the NAACP, CORE, and the Oakland Teachers Association in support of an open enrollment and desegregation plan for a proposed new high school. In addition, the CFT, with Maurice Englander as president, had helped lead the way in getting passage of legislation creating California's Commission on Equal Opportunity in Education. Later this body was buried in the State Department of Education, but with strong staff leadership the Commission became the primary state agency for providing technical assistance to communities concerned about integration. In 1963-1964, as an officer of the OFT, I appeared before the Commission asking for an investigation of racial segregation in Oakland's employment and program policies (Wilson Riles was the staff person. Marion Joseph and Maurice Englander were lead members of the Commission Advisory Board). In October 1964, after appeals from Oakland's Citizen Advisory Committee, the NAACP, the OFT, and others, the Commission issued its first report on Oakland, calling for a master plan for desegregation (David Kirp, *Just Schools*, 1982, page 226). Needless to say this is just a small sampling of the involvement of the CFT and AFT in the desegregation efforts that followed Brown.

2. In *Goals 2000*, "OTL standards" are defined as "the criteria for, and the basis of assessing the sufficiency or quality of the resources, practices, and conditions necessary at each level of the education system to provide all students with the opportunity to learn the material in voluntary national content standards or state content standards" (§3(a)(7)). Furthermore, the voluntary national opportunity-to-learn standards (§213(c)(2)) address the following:

- ∑ Curricula, instructional materials, and technologies
- ∑ Teacher capability
- ∑ Continuous professional development
- ∑ Alignment of curriculum, instructional practices, and assessments with content standards
- ∑ Safety and security of the learning environment
- ∑ Non-discriminatory policies, curricula, and instructional practices
- ∑ Other factors that help students receive a fair opportunity to achieve the knowledge and skills in the content standards

**Defining and Measuring Opportunity to Learn.** Porter, A. C. (1993). Madison, WI: University of Wisconsin.

**Opportunity to Learn and the State Role: An Outline for a Paper.** Fuhrman, S. H., & Elmore, R. F. (1993). New Brunswick, NJ: Center for Policy Research in Education.

3. The California American Civil Liberties Union, which has filed suit in several California courts, describes the case as follows: " Through this lawsuit, plaintiffs seek to compel the State to develop an effective system of oversight and management over the public schools to ensure that every student in California is provided basic educational necessities, such as trained teachers, adequate textbooks, and minimally habitable facilities. Such a system will require the State to regularly determine whether public school students have the basic necessities for an education and, if not, take steps to

correct the deficiencies promptly.

The State has admitted that it currently has no meaningful system for determining, for example, how many textbooks are lacking in schools or how many facilities are infested with rats. Plaintiffs are demanding that the State create a system of monitoring and accountability through which the State will discover the existence of serious problems in the public schools and ensure that those problems are corrected swiftly and permanently. Plaintiffs are not asking for money damages to be given to any particular student, school, or district. Plaintiffs seek an end to the deplorable conditions that exist in far too many California public schools.”

The following problems were presented as evidence of absence of OTLS at two San Francisco schools (Luther Burbank Middle School and Bryant Elementary School):

#### Luther Burbank Middle School in San Francisco

54. Plaintiffs Eliezer Williams, Olivia Saunders, Silas Moultrie, and Monique Mabutas attend Luther Burbank Middle School in San Francisco. At Luther Burbank, students cannot take textbooks home for homework in any core subject because their teachers have enough textbooks for use in class only. For example, a social studies teacher who teaches five separate social studies classes during one day has only one class set of social studies textbooks, so all five classes must share the same set of books. Some math, science, and other core classes do not have even enough textbooks for all the students in a single class to use during the school day, so some students must share the same one book during class time. In many classes in the school, textbooks are nine and more years out of date. For homework, students must take home photocopied pages, with no accompanying text for guidance or reference, when and if their teachers have enough paper to use to make homework copies. The school limits the number of copies teachers can make in any given week, so teachers cannot photocopy enough pages from textbooks for the students to have homework each school night. The social studies textbook Luther Burbank students use is so old that it does not reflect the breakup of the former Soviet Union. Textbooks are missing pages and covers after so many years of use in school.

55. Luther Burbank is infested with vermin and roaches and students routinely see mice in their classrooms. One dead rodent has remained, decomposing, in a corner in the gymnasium since the beginning of the school year.

56. The school library is rarely open, has no librarian, and has not recently been updated. The latest version of the encyclopedia in the library was published in approximately 1988.

57. Luther Burbank classrooms do not have computers. Computer instruction and research skills are not, therefore, part of Luther Burbank students’ regular instruction in their core courses.

58. The school no longer offers any art classes for budgetary reasons. Without the art instruction, children have limited opportunities to learn space, volume, and linear logic concepts.

59. Two of the three bathrooms at Luther Burbank are locked all day, every day. The third bathroom

is locked during lunch and other periods during the school day, so there are times during school when no bathroom at all is available for students to use. Students have urinated or defecated on themselves at school because they could not get into an unlocked bathroom. Other students have left school altogether to go home to use the restroom. When the bathrooms are not locked, they often lack toilet paper, soap, and paper towels, and the toilets frequently are clogged and overflowing.

60. Paint peels off walls in many classrooms and there is graffiti on classroom and other school walls. Ceiling tiles are missing and cracked in the school gym, and school children are afraid to play basketball and other games in the gym because they worry that more ceiling tiles will fall on them during their games.

61. The school has no air conditioning. On hot days classroom temperatures climb into the 90s. The school heating system does not work well. In winter, children often wear coats, hats, and gloves during class to keep warm.

62. Eleven of the 35 teachers at Luther Burbank have not yet obtained full, non-emergency teaching credentials, and 17 of the 35 teachers only began teaching at Luther Burbank this school year.

#### Bryant Elementary School in San Francisco

63. Plaintiffs Bianca Arriola, Bibiana Arriola, Carlos Ramirez, Richard Ramirez, and Ivanna Romero attend Bryant Elementary School in San Francisco. Bryant has no floor-to ceiling walls between classrooms. Instead, the school has thin, hollow, room dividers hanging from the ceiling, which provide little or no sound barriers between classes. Students can hear noise from other classes talking and learning during their own class instruction. Sometimes students in one class start to laugh at a joke told in another class; students in the first class hear the joke as clearly as do the students in the class in which the joke was told. The noise problem among classes also means that classes cannot have music or audio instruction in class because music and audio instruction would increase the noise level too greatly.

64. Teachers at Bryant are missing all or significant parts of their curriculum in many of the classes at school. One teacher did not receive her math curriculum materials until two months into the school year. Another teacher did not receive her math textbooks until February, in a school year that began in August. Another teacher still had not received half her district-mandated first-grade curriculum even after two thirds of the school year had been completed. Two fifth-grade teachers share 20 social studies textbooks among 37 students during the school day. Those teachers cannot both give homework on the same night because they are short 17 books for their students.

65. Many teachers at Bryant purchase basic supplies for their classrooms themselves, spending thousands of their own dollars, because the classes would otherwise go without the supplies. Teachers buy pencils, erasers, crayons, will have basic tools to use to learn. Last year, several teachers solicited donations of paper and pencils for the school from San Francisco businesses.

66. The air conditioning and heat do not work in many classrooms. On hot days, students feel faint or sleepy because their classroom temperatures reach well above 80 degrees. In the computer lab at

the school, temperatures have reached 92 degrees this year. Teachers have to spray students with water to keep them cool during spring, summer, and fall. Some teachers take their classes outside to learn because the temperature is cooler outside. On cool days, students wear coats and mittens inside to keep warm. Some students keep jackets on inside but then take their jackets off when they go outside to play because the outdoors is warmer than their classrooms.

67. The school has no nurse. Children whose health is compromised by school temperature and noise conditions and other conditions that affect children's ability to learn have no one to whom to turn at school for assistance in identifying and rectifying the problems.

68. Water at the school is unsafe for drinking. Many children bring bottled water to class, and the principal has recommended that teachers flush the pipes every day by running water for a full minute in the morning.

4. The complete testimony from Lisa Towne is attached (presented to the Committee on Education and the Workforce, Reauthorization of the Office of Educational Research and Improvement, February 28, 2002, Washington D.C..) Lisa Towne is Senior Program Office for the National Research Council, a unit within the National Academy of Science, established by Congress in 1863 to advise Congress on matters of science and technology. The paragraph where the quote appears is as follows:

The primary problem with this bill is its inclusion of definitions for scientifically valid quantitative and scientifically qualitative methods. To be sure, many of the concepts in those draft definitions are the very same concepts that the NRC committee emphasized in its report: empirical data, replication, and peer review, for example. And the inclusion of both quantitative and qualitative methods is very positive, since both, when properly applied and implemented, can be very powerful research tools. The problem is with their use as a federal mandate. The NRC report makes clear that the objectivity and progress of scientific understanding in any field—not just education research—derives not from a given methodology or a given person. Rather, it comes from the community of researchers. Improving education research, then, requires improvements in the field itself.