

Thrash over MEAP issues an outburst in the making

The brouhaha over the MEAP test furnishes evidence of just how emotional and confused education policy has become.

The Department of Treasury compiled a list of 71 schools in 21 districts that it said indicated "irregularities" in MEAP test results. Parts were leaked to a Lansing reporter, who then bulldozed the department into releasing the whole thing.

The vulture components of the media beast immediately jumped on the story, quickly translating "irregularities" into "MEAP test cheating" without bothering to dig much into the detail.

Turns out Treasury screwed up big time. One school, Brighton's Horning Elementary

—was on the list by mistake, and another—Northville's Winchester Elementary—seems entirely innocent. There are likely a few examples of outright cheating in the stuff now being looked at, but the vast majority of "irregularities" are probably just that—odd but perfectly innocent similarities in some test answers that in no way suggest cheating.

School people, already anxious about budget cuts being threatened for next year and busy with end-of-year activities, were furious.

Leonard Bersienki, superintendent of the Northville district, fired off a representative letter to Treasury officials: "I am very disappointed in the method by which the Department of Treasury chose to announce the allegations and, therefore, to humiliate and discredit the reputation of the fine educators at Winchester Elementary School ... Receiving the phone call from Mr. Bob Nelson, at approximately 12:12:15 p.m. on Thursday, June 8, but not receiving the specific concerns until Friday at 12:35 p.m., caused me to deal with multiple media for 24 hours, as being guilty as charged without having any knowledge of the specific allegations. The incredible devastation that this caused the teaching staff, administration, students and parents at Winchester, as well as the entire district, is unconscionable."

Wisely, State Treasurer Doug Roberts apologized last week: "I am here today to sincerely apologize for the way this issue has unfolded. Obviously, it was never the state's intention that schools, teachers and students be subjected to what has been portrayed as an indictment of their integrity."

The fact that Roberts, one of the most capable and decent people in state government, has taken responsibility removes the incident from the

realm of evil personal intention and allows us to consider the structural issues underlying the flap. Three main points come to mind.

Second, whether the Engler Administration intended it or not, most school people in Michigan feel that the mentality of the state toward public education is one of suspicion and mistrust. Advocating more charter schools, favoring publicly financed vouchers for private and parochial schools, attacking unions and casting doubt on the ability of teachers is hardly the way to win friends. Given the background, the thrash over

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MEAP "cheating" was an outburst just waiting to happen.

Second, there are no clear lines of authority in Michigan's structure of public education. Administration of the MEAP test and managing the merit awards that stem from good results are, mysteriously, in the hands of the Department of Treasury, taken by executive order from the Department of Education. Members of the State Board of Education, independently elected statewide, have the constitutional responsibility to set education policy. But the board's newly selected Superintendent of Public Instruction, Tom Watkins, is a Democratic refugee from the old Blanchard Administration. A corporation, Standard and Poors, is now rating overall performance of individual schools, while the separate Department of Career Development is concentrating on job training and vocational education.

When I talked with him last week, Watkins spoke about the "balkanization of education" and argued there is little alignment of policy with institutional responsibility. It's hard not to agree.

It's clear the next governor is going to have to take a long, hard look at what might be termed the "infrastructure of Michigan," the range of facilities that, taken together, determine the quality of life in our state: roads, sewers, water quality, public transit, broadband networks and so forth. The structure and workings of our educational infrastructure deserve an important place in this list.

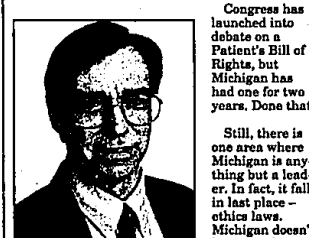
Candidates for governor—there are seven already—should be addressing this issue as they jostle for early advantage.

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Ethics laws one area where Michigan needs to improve

We like to think of Michigan as a leader, one of the states out ahead of the curve. In many respects it is.

Case in point: When George W. took office, his first priority was to get us a tax cut, one of the first at the federal level in years. But Michigan has been trimming the taxes for a long time. We've been there.



Mike Malott

place—along with Utah, Idaho and Vermont—when the Center for Public Integrity, a Washington, D.C.-based foundation for investigative journalism, did a survey of state ethics regulations. Ethics laws are aimed at keeping elected officials from profiting personally from the decisions they make in office. Typically, they require some form of disclosure. When lawmakers have a business interest that would be directly affected by a vote, they are typically required to abstain and make known their "conflict of interest."

Apparently, there is a need. Even though most states have laws in place, the Center found that nationwide 25 percent of state legislators sat on committees that regulated businesses in which they had a financial interest. Another 23 percent received income from some government agency while collecting a paycheck from their respective legislatures. And 18 percent had financial ties to businesses that lobby their legislatures.

Rep. Mike Bishop, R-Rochester, contends that despite the lack of a law here, Michigan politics have been pretty clean. We haven't had the scandals over conflicts that have rocked legislatures in other states, he said.

That may be one reason why his proposed "Government Ethics Act," House Bill 4070, has drawn so little attention. The bill would prohibit state elected officials from using their public positions to gain anything of value for themselves or another person.

Legislators would have to publicly disclose any "conflict of interest," which would include personal relationships or economic associations with "a

person that would likely be substantially affected by an official action or decision." Lawmakers would also be barred from lobbying for three months after leaving office.

A seven-member ethics board would be created to review complaints. Because the Constitution assigns the duties of disciplining members to each chamber of the legislature, reviews from the ethics board would be turned over to a legislative ethics committee for a final determination. Violations could carry civil or criminal penalties.

Ethics laws are aimed at keeping elected officials from profiting personally from the decisions they make in office. Typically, they require some form of disclosure.

Bishop chose not to include the extensive disclosure requirements that are typical of ethics laws elsewhere. And there are reasons.

"A lot of them are overly inclusive," he said. "A lot of them are absolutely intrusive. It is not my intention to chase people out of public office. If the financial disclosure is too extensive, there are many good honest people who will refuse to run for public office, and that would be a shame."

Instead, Bishop explained, he is looking for "transactional disclosure," current business deals that may have an impact on current issues before the legislature. They should be disclosed at the time.

Bishop admits that without full reporting, it might be more difficult to spot it when a lawmaker fails to disclose a conflict. On the other hand, with civil fines and criminal penalties for violations, lawmakers would have a strong motivation to disclose the information at the time it is required.

Common Cause, in fact, is pushing for more disclosure. The Center for Public Integrity would rank that as a flaw in the legislation.

But Bishop has a valid point. And it makes sense to get a set of rules on the books, so that elected officials know what rules they're supposed to be playing by.

Ultimately, it's a well-thought-out piece of legislation. All the more credit to Bishop for spotting a gap in the law before some scandal crops up to bring it to the forefront.

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