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Bill requiring student testing wins Senate OK

Carrot-and-stick offers federal money, holds failing schools accountable

CHRONICLE NEWS SERVICES

WASHINGTON — The Senate passed a groundbreaking bill yesterday that would refashion the federal government's role in education by requiring annual testing to identify the most troubled schools and then holding those schools accountable if they failed to improve.

As an incentive, the federal government would provide more money to the worst schools and offer parents a new set of options to help their children learn, including subsidized private tutoring. If after five years a school is still labeled as failing, it must change its staff, allow the state to take over or become a charter institution.

The Senate approved the measure 91 to 8 yesterday after nearly two months of debate and repeated attempts by both Republicans and Democrats to gut a fragile bipartisan agreement with the White House.



New York Times

Senate approval gave President Bush a hard-fought legislative triumph on an issue he heavily promoted on the campaign trail and hoped to turn into one of the chief accomplishments of his first year in office. Bush, traveling in Europe, issued a statement that hailed the vote and said it meant "we are close to a monumental achievement with bipartisan support. . . . We have wide agreement on the principles of education re-

Majority Leader Tom Daschle (from left), Minority Leader Trent Lott and Sen. Ted Kennedy, D-Mass., commented on the bill, which now must be reconciled with the House version.

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ABCs of education bill

Details of education bills approved by the Senate and House:

■ **Annual tests:** Both versions require annual state tests in reading and math for every child in grades three through eight and once in high school. Higher federal aid would be available to schools with low scores; if scores don't improve, schools would face sanctions. Students at schools in which scores don't improve could use federal money for tutoring or transportation to another public school.

■ **Funding:** Senate bill authorizes \$33 billion for elementary and secondary education in 2002. House bill authorizes \$24 billion.

■ **Literacy:** Both versions provide nearly \$1 billion per year for next five years to improve reading, with a goal

of making sure every youngster can read by third grade. The House bill requires schools to ensure that students are proficient in English after three years of attending school in the United States. It also requires school districts to get parents' consent before placing a child in a program that is not taught primarily in English. Senate bill has no such provisions.

■ **Charter schools:** Both provide more money for them.

■ **Partnerships:** Both provide money to help schools form partnerships with colleges and universities to improve science and math instruction.

Source: Associated Press

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Senate's education bill

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form."

With the Senate almost evenly divided, neither Republicans nor Democrats got all they wanted in the legislation, and most education analysts say the legislation will lead to only modest improvements in a child's education.

Federal spending represents a tiny sliver of the cost of education in this country, accounting for only 10 cents of every dollar spent on public education coming from Washington. Much of that money is designated for low-income students. The amount going to individual schools varies widely, depending largely on the number of low-income students enrolled.

A small number of states and school districts could experiment with even more freedom from federal controls in exchange for meeting higher standards.

Early on, Bush was forced to abandon his push for taxpayer-financed vouchers for private-school tuition and greater state control of federal dollars. And Democrats have yet to receive a commitment from Republicans for more education money, a battle that will play out later this year.

Bush said "additional spending on education surely is justified," but he added, "In the past, increased spending and the creation of multiple new programs have not improved student achievement."

Majority Leader Tom Daschle, D-S.D., said there wasn't enough money. "We can't have reform without resources, and that's the next step," he said.

The Senate would like to spend \$33 billion on education next year, while the House's sum is \$24 billion, and Bush's total is \$19 billion.

Still, the core of the bill — a provision that requires states to test students in grades 3 to 8, and once in high school — survived, as did Bush's initiative to triple funding for reading.

Now, the Senate and the House (which passed its education bill last month) must negotiate to reconcile the differences in their two bills, a task that could prove difficult because the bills include a few considerable differences in spending levels, testing and the allocation of money to states and school districts.

Republicans scored several victories yesterday. One would impose the same degree of discipline on children with disabilities who commit infractions as on those who do not have disabilities.

And Sen. Jesse Helms, R-N.C., won approval for his amendment to strip federal funds from schools that deny access to the Boy Scouts of America, which have come under attack for their ban on gay members. After a highly charged debate, the Senate voted 51-49 to pass the measure, which Democrats said would afford the Boy Scouts special protection not given to other groups.

But Helms said the Boy Scouts' ban had prompted local school boards and organizations such as the United Way to drop their support for the organization.

"This will put a complete end



New York Times

Sen. Mary Landrieu, D-La., (left) spoke with Nancy Buermeyer and Elizabeth Birch of the Human Rights Campaign.

Helms' Boy Scouts amendment won't affect Bay Area schools

By Christopher Heredia
CHRONICLE STAFF WRITER

Legislation to withhold federal funding from school districts that bar the Boy Scouts of America would have little impact because districts are already bound by federal law that grants after-school access to groups regardless of their viewpoints, Bay Area officials said yesterday.

"It sounds like as far as San Francisco is concerned, it's harmless thunder," San Francisco city attorney's office spokesman Nathan Ballard said of the measure by Sen. Jesse Helms, R-N.C., approved by the U.S. Senate yesterday.

Last year, the U.S. Supreme Court upheld the Boy Scouts' right to ban gays. Since then, several government agencies and philanthropic organizations have moved to sever ties with the Boy Scouts.

The board of education in Broward County, Fla., in November prohibited the Boy Scouts from using public schools because of the group's policy against gays. In March, the Boy Scouts won a temporary injunction against the district, allowing about 60 troops to resume use of campus facilities.

Helms said the amendment was intended to combat "the organized lesbians and homosexuals in this country of ours."

Gay activists called the legislation thinly veiled homophobia.

"This is really about forcing Helms' anti-gay viewpoint on local school districts across America," said Winnie Stachelberg, political director of the Human Rights Campaign in Washington, D.C.

In San Francisco, the Board of Education banned the Boy

Scouts from being included in the daily curriculum in the early 1990s. That policy is unaffected by yesterday's vote, Ballard said.

"The Scouts can meet after school like any other group," Ballard said. "We don't discriminate on the basis of the viewpoint of the organization. What we have said is that... we don't want organizations as part of the educational curriculum that exclude some children."

The legislation, already approved by the House, is an amendment to President Bush's education bill.

"Here is an organization that's been next to God and country, mom and apple pie, for as long as we can think of, and now it's being pursued," said Sen. Sam Brownback, R-Kan.

Shortly after the vote, Sen. Barbara Boxer, D-Calif., succeeded in adding her own, different provision to the bill. It would prohibit discrimination against any youth group, including the Boy Scouts, on the basis of the organization's "favorable or unfavorable position concerning sexual orientation." Boxer said the amendment was intended to write into law the high court's ruling in the Boy Scouts case.

A spokesman for the Boy Scouts said while the organization hadn't initiated the Helms legislation, they were appreciative of the support.

"We don't expect everyone to agree with our standards," said Boy Scouts' spokesman Gregg Shields. "We do expect to be treated equally. If they allow us in school, that's fine by us."

The Associate Press contributed to this report.

E-mail Christopher Heredia at cheredia@schronicle.com.

to the arrogant treatment being directed by some school districts across the country against the Boy Scouts of America," Helms said.

But Sen. Barbara Boxer, D-Calif., said the Scouts were already treated like other groups, and added, "I believe this amendment is unnecessarily gratuitous. It is hurtful to a group of people. It divides us again in this country."

In a remarkable moment, Sen.

Robert C. Byrd, D-W.Va., speaking, he noted, as a former member of the Ku Klux Klan, said that as drafted the amendment would have required schools to allow even that racist organization to use school facilities. At his request, the proposal was modified to prevent that, and he was one of eight Democrats who joined with 43 Republicans in voting for the Helms proposal.