

# Stalemate on takeover of Kentucky's largest school district

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Dr. Wayne Lewis, interim education commissioner in Kentucky, has extended the deadline until next week for the Jefferson County Board of Education to respond to his latest “offer” that would avoid a confrontation over a state takeover of the district’s public schools. The Jefferson County district is the largest in the state, encompassing 172 schools, 6,600 teachers and 101,000 students, throughout the Louisville metropolitan area.

On April 30, Lewis recommended a full takeover of JCPS (Jefferson County Public Schools) by the state. The move has been seen as an attempt to impose an emergency manager-type regime over the finances and administration of the district. The local school board has appealed the decision, prompting Lewis to put forward a compromise proposal. If the local board accepts the proposal, an audit would take place in the fall of 2019 and recommendations would be made. Lewis’ new proposal stipulates that the local board would not be allowed to request a stay of the proposed outcome, which could call for the state takeover at the time. If the current “compromise” proposal Lewis is presenting is rejected, hearings will begin in September and conclude in early November. The school board declined to respond to Lewis’ overture by the original deadline of August 1.

The *Courier Journal* has reported the key provisions of Lewis’ recent plan, the most significant being “enhanced oversight areas,” giving the state “‘enhanced oversight and responsibility’ over eight key areas—special education, restraint and seclusion of students, early childhood education, student assignment, career and technical education, building maintenance and replacement, student transportation, and human resources.” This “includes staffing at low-performing schools,” which includes mandating the principal to “hire the ‘best person for the job.’”

The “enhanced oversight and responsibility” allows the state to have the final say on all the above conditions, making the line between this binding proposition and a state takeover very fine.

Since Lewis was appointed by Republican Governor Matt Bevin, his first and primary focus has been a state takeover of JCPS. He has used reports of physical restraint and detention of students as a diversion, insisting that the “needs of the children” required that the state run the district, replacing the elected school board. Lewis, like his sponsor Bevin, is a faithful advocate for charter schools, and it is widely considered that his appointment on April 17, just days after the largest demonstrations of teachers at the state legislature in Frankfort April 13, is intended to expedite school privatization in Kentucky’s largest school district.

While charter schools have been approved in the legislature, the funding mechanism did not pass in the last legislative session. However, defenders of public education recognize the appointment of Wayne Lewis as a decisive step toward opening the floodgates to charter schools.

A little-publicized executive order was signed by Bevin on August 1. It is aimed at bringing control of professional development and standards under the authority of Wayne Lewis. In one telling introductory paragraph, the order states: “greater efficiency, economy and improved administration will result from the alteration of current organizational units as set out in this Executive Order ...” The order establishes an Office of Educator Licensure and Effectiveness with an executive director who reports to the Commissioner of the Department of Education (Lewis).

The Educational Professional Standards Board is abolished; the divisions of Educator Ethics; Educator

Preparation, Assessment and Internship; and the division of Certification are all abolished and replaced with new departments within the newly created Office of Educator Licensure and Effectiveness. Discussion on one Kentucky teachers' Facebook page expresses alarm at this move, which is seen as another step in the consolidation of power under Bevin's man Lewis, and another step toward certifying charter schools and unqualified teachers. This executive order will affect all Kentucky teachers.

On August 2, one of Bevin's and Lewis' closest co-thinkers, Hal Heiner, was elected chairman of the state board of education. Heiner, after resigning his post as state education secretary, was appointed to the board on April 17, the same day Wayne Lewis was appointed interim education commissioner. The *Courier-Journal* has reported that Heiner is not only an "ardent supporter of charter schools," but is determined to see the introduction of vouchers in Kentucky, allowing public school funds to be directed to religious and other private schools.

Educators associated with #120 Strong and the KY 120 United Facebook groups are organizing a protest Saturday at the "Fancy Farm" picnic, an annual political event that kicks off the state's general election period. There are 34 educators running for state office in November, mainly through the Democratic Party. Although the teachers' unions are attempting to divert the anger that exploded last spring into Democratic Party politics, teachers will again be forced to confront the anti-working-class policies of both parties and take independent action to defend jobs, pensions and public education.

Educators in Kentucky, inspired by the rebellion last March of those in neighboring West Virginia, staged a series of sick-outs and protests at the state capitol, demanding restoration of the millions of dollars cut from schools since 2008, and protection of the pensions and benefits of retirees. In a series of maneuvers, the legislature, including politicians from both parties, passed a budget instituting regressive sales taxes to pay for the restoration of a portion of the school funding, still falling far short of 2008 levels, and newly hired teachers will be forced into a 401(k)-type pension plan.

In every instance of last spring's educators' struggles—from West Virginia, Kentucky, and Oklahoma to Arizona—the American Federation of

Teachers (AFT) and the National Education Association (NEA) and their local affiliates betrayed the independent initiative of the teachers, shutting down strikes, dissipating the protests and stumping to "Remember in November."

In Kentucky, between 2007 and 2015, Democratic Governor Steve Beshear presided over more than \$1.6 billion in cuts to the state budget, including starving teachers' and other public workers' pension funds. His son, Andy Beshear, the current state attorney general, has launched his own bid for the governorship in 2019 with the enthusiastic support of the teacher unions. His campaign is devoid of any policies outside of "honoring teacher pensions" and "good paying jobs" for Kentuckians. He and most of the other Democratic Party politicians supported by the NEA and AFT have also said nothing about Governor Bevin's recent abrupt elimination of Medicaid vision and dental treatment for 460,000 Kentucky Medicaid recipients.

On June 29, a federal judge struck down Bevin's proposal to force "able-bodied" Medicaid recipients—the working poor who qualified for the program under the Affordable Care Act—to work up to 80 hours per month to receive benefits. In a vindictive move, and with no notice, Bevin on the following Monday announced that all dental, vision and transportation benefits for those nearly half million people would be terminated. The surprise move caught dentists and ophthalmological providers unaware, and caused thousands, including children, to be turned away from scheduled appointments. Massive confusion continues and health providers insist these cuts will have a serious impact on the health of their patients and may exacerbate the opioid crisis in the state as those unable to receive dental care will turn to painkillers.



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