OPINIONS

'Choice' in education may not be a very good one


JOAN BECK

The current all-purpose remedy for ailing schools is "choice." The idea has the great advantage of not appearing to add much to education costs. It can mean anything from allowing parents to transfer their children to public magnet or specialty schools within a district to giving tuition vouchers to families to "buy" slots in any public or private school.

Students who transfer essentially would take with them the money a public school would have received on their behalf. Some plans call for poor youngsters and those with learning disabilities to receive bigger tuition vouchers than other students, to encourage competing schools to accept them.

As theory, choice has much appeal. It is supposed to empower parents as consumers to bring market forces to bear on the schools to shape up and succeed. Just as businesses that give their customers what they want, the schools that are most effective would grow and prosper. Those that don't would be left deserted and forced to close.

Recently, a Wisconsin court refused to grant an injunction against a choice plan for Milwaukee. A lower court has already ruled it is constitutional. The Milwaukee program will give 1,000 low-income city children tuition vouchers that pay up to $2,500 so they can attend private, nonsectarian schools their families select. The state will deduct money from its support of city public schools.

Minnesota and New Mexico are expanding their choice programs; most popular are those that allow high school juniors and seniors to take courses at local colleges for credit.

Oregon has a choice initiative on its ballot in November. It would give a $2,500 tax credit to parents or others who pay tuition at a private school or educate a child at home. It would also permit students to transfer between schools and between public school systems.

Criticism of choice plans is still gathering. School district bureaucrats have lashed out at the idea, claiming it will undercut the public school system and perhaps weaken it fatally. Teacher union leaders lambaste it, fearing their members' livelihood could be transferred away, leaving them jobless.

There are also fears a choice plan might allow tax dollars to go indirectly to parochial schools in a way that dodges constitutional prohibitions.

Some critics think choice plans sound too much like the whites-only private schools in the South when public schools were desegregated.

Savvy parents would maneuver to get their kids into the best schools. The poor would be left behind in schools abandoned not only by the good students but by a weakened system as well.

Some choice plans do include help for parents in handling admissions procedures and insure a placement — if not first or second choice — for every youngster. And supporters assume many new private schools — or upgraded public schools — would spring up in poor areas, attracted by voucher payments.

More troubling, choice plans rest on several necessary assumptions that may not be completely true. These doubts are reinforced by what happened in the only extensive, controlled experiment ever to test and evaluate the idea scientifically.

From 1972 to 1976, the federal government used $7 million to provide school vouchers for students in Alum Rock district near San Jose, Calif. Researchers found no academic gains in students who had a voucher-backed choice of schools compared with other youngsters. Most parents said they made school choices for their offspring on the basis of a school's location rather than its educational programs.

There are other valid concerns, too. School officials and teachers, especially if protected by union contracts, wouldn't stand to profit or lose as much from school competition as people in private industry — so marketplace incentives wouldn't be as effective. Busing programs to get all students to their choice of school would add to costs, detract from the appeal of transferring and reduce essential contacts between schools and parents.

The real danger is this country will waste another decade on a theory that doesn't help or improves schools marginally and primarily for middle and upper-middle-class children.

SHORT TAKES: BOB GREENE

There's a widespread assumption that all of a sudden members of all-white, all-male, all-Christian country clubs are going to scurry to admit at least a few blacks and other minorities because the recent PGA/Shoal Creek controversy has made the white, male, Christian country club members see the light. It ignores just one thing: The reason a lot of these golfers belong to exclusionary clubs is because they like being around other white, male Christians, and they dislike being around people who aren't white, male and Christian.

Which brings us to the argument that was made in newspapers coast-to-coast: Now that the PGA has said that it will not allow its tournaments to be held at clubs that discriminate, all the exclusionary clubs will drop their restrictions. Right? Wrong. You would be surprised how many members of exclusionary clubs hate it when PGA tournaments take over their property. A lot of these club members don't need any more prestige. To them, a PGA tournament is a nuisance. These guys would like nothing better than an excuse not to have pro golf tournaments at their clubs.

Within five years, *not* having a PGA tournament will be the most prestigious thing a country club can say about itself. "A serene and elegant country club with a rich tradition and no PGA tournaments." That sounds so much more polite than "no blacks or Jews." But it will mean the same thing.

Taking stock of tough sentence

IT WAS NOV. 2, 1987, and a stern-faced federal judge told the securities analyst he was no better than a common thief.

"You took money out of the pockets of the very people who could not afford it, the small investor," lectured Judge Alfred Lechner of U.S. District Court in Newark. "You profited personally. Other people lost money."

With that, Richard Cannistraro was sentenced to eight years in prison and ordered to pay $725,000 in fines and restitution for a $400,000 fraud in which he wrote favorable newsletter reports about inexpensive penny stocks that he owned.

The judge defended his tough sentence, saying he was speaking on behalf of the little people, and referred to the Oct. 19, 1987, Black Monday stock market crash. He summarily revoked Cannistraro's bail and sent him directly to jail.

Three years later, according to the judge's financial disclosure forms, the judge was one of the little people hurt in the market crash.

On Sept. 14, 1987, a week before Cannistraro pleaded guilty, Lechner invested between $25,000 and $80,000 in three relatively inexpensive over-the-counter stocks, according to Lechner's 1988 financial disclosure forms.

Seven weeks later, a Lechner compared Cannistraro to an "armed thief" and "bank robber," the value of the judge's stocks had plummeted. One, Polymeric Resources Corp. of Wayne, N.J., in which Lechner invested between $15,000 and $50,000, had dropped from 5¾ to 1¾.

And now, he won't step down from another case in which he must pass judgment on Cannistraro, who last year was indicted with two others on racketeering charges.

The new indictment, charging a systematic multi-million-dollar stock fraud, includes as "predicate acts" the crimes to which Cannistraro pleaded guilty in 1987. In the first case, Assistant U.S. Attorney Robert Warren charged that Cannistraro boasted of "organized crime connections."

GANG LAND
JERRY CAPECI

In an effort to get Lechner to recuse himself, Cannistraro's lawyer cited Lechner's sentencing remarks, his relatively harsh sentence for a first offender and the judge's stock losses in 1987.

"The average man on the street," wrote lawyer Michael Pollack, "would harbor doubts as to the court's ability to be fair and impartial."

During oral arguments this month, Pollack said there was an "appearance of impartiality" because Lechner incurred heavy losses during the same period Cannistraro pleaded guilty to fraud involving stocks of "a similar nature."

Lechner said the stocks weren't similar, called Pollack's argument "absurd and ridiculous" and accused Pollack of misrepresenting appeals court rulings about the issue and trying to feed him "false baloney."

The judge said Pollack was "taking things out of context" and that Polymeric had split and was "now selling for $30 a share."

Gang Land's not looking to split hairs, but brokers we called said the stock is selling at about $15, if you can find a buyer, and that the stock underwent a "reverse split" of 10 for one last year, making each share worth about a tenth of what it was worth in 1987.

In his ruling, Lechner said his "very modest investment" was "in no way related to the companies involved" in Cannistraro's case and refused to recuse himself.

'The average man on the street would harbor doubts as to the court's ability to be fair and impartial.'
Attorney Michael Pollack

LECHNER, A FORMER Union County Superior Court judge, was appointed to the federal bench in 1986 by President Reagan. At his confirmation hearing, Sen. Strom Thurmond (R-S.C.) questioned Lechner's "judicial temperament" and grilled him over his jailing of a public defender for contempt of court earlier that year.

Cannistraro cannot appeal the ruling until after trial, which is expected to begin next year.

★★★

Two weeks ago, Gang Land reported that former Colombo capo Michael Franzese told the FBI and federal prosecutors that Frank Campione had hired a gang of motorcycle thugs to beat a woman senseless a few years back.

Gang Land knows of no evidence — other than Franzese's statements — that Campione played a role in the beating.

Campione — a close friend of John (Sonny) Franzese's, Michael's father — recently pleaded guilty to obstruction of justice for helping obtain information about a 1984 federal grand jury probe of Michael Franzese.