

# NOMINATION

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Y 4.L 11/4: S. HRG. 103-626

Nomination, S.Hrg. 103-626, 103-1 H...

## HEARING OF THE COMMITTEE ON LABOR AND HUMAN RESOURCES UNITED STATES SENATE ONE HUNDRED THIRD CONGRESS FIRST SESSION

ON  
THOMAS W. PAYZANT, OF CALIFORNIA, TO BE ASSISTANT SECRETARY  
OF EDUCATION FOR ELEMENTARY AND SECONDARY EDUCATION, DE-  
PARTMENT OF EDUCATION

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JULY 1, 1993  
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Printed for the use of the Committee on Labor and Human Resources



U.S. GOVERNMENT PRINTING OFFICE  
WASHINGTON : 1993

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# NOMINATION

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THURSDAY, JULY 1, 1993

U.S. SENATE,  
COMMITTEE ON LABOR AND HUMAN RESOURCES,  
Washington, DC.

The committee met, pursuant to notice, at 2:36 p.m., in room SD-430, Dirksen Senate Office Building, Senator Edward M. Kennedy (chairman of the committee) presiding.

Present: Senators Kennedy, Simon, Wellstone, Kassebaum, Jeffords, Coats, Gregg, and Hatch.

## OPENING STATEMENT OF SENATOR KENNEDY

The CHAIRMAN. We'll come to order.

We are delighted to have our colleagues from the House and most particularly our good friend and fellow colleague, Dianne Feinstein, who I would ask if she'd be good enough to say a word, and then we'll hear from our good friends from California, the distinguished Congressman Bob Filner, a long-time family friend going back many, many years, and Congressman Cunningham, whom we'll be glad to hear from as well. And then we'll move ahead with brief opening comments and then move very quickly to the witness.

So we welcome Senator Feinstein.

## STATEMENT OF HON. DIANNE FEINSTEIN, A U.S. SENATOR FROM THE STATE OF CALIFORNIA

Senator FEINSTEIN. Thank you very much, Mr. Chairman. I am very pleased to be here, and I thank you.

Mr. Chairman and members of this distinguished committee, it is a great honor to introduce to you Dr. Thomas Payzant, President Clinton's nominee to be Assistant Secretary for Elementary and Secondary Education.

Dr. Payzant has received both his doctorate and his master's from that university on the East Coast that we Stanfordites don't like to say is a great one—Harvard University. And for the past 30 years, he has really skillfully served as an educator and superintendent of public schools in virtually every region of this Nation.

Since 1982, my State, the State of California, has benefited from his leadership, and he has lifted the San Diego Unified School District into America's elite class of innovative learning communities.

In December 1992, Dr. Payzant received the Harold McGraw, Jr. Education Prize, which is one of the most prestigious awards in American education. He has gained the unanimous support of the elected school board through four separate contract negotiations,

and he has just completed 10-1/2 years as superintendent of San Diego city schools, making him one of only three big city superintendents currently serving more than 10 years in the same job—and as a mayor, I know how tough that is to achieve.

Leading the San Diego Unified School District is no small order. It is the 8th-largest urban school district in America, and like many districts in my State, it has been going through dramatic changes and an extended period of declining resources. Despite daunting challenges, Dr. Payzant has guided the district around pitfalls that have frustrated improvement efforts in many other districts across the country. Through his leadership, San Diego has become recognized as one of the country's best urban districts and a model for others to follow. His reforms have produced award-winning results and greatly improved student outcomes.

Through the 1980's, student achievement in reading, language arts and math improved steadily. Progress was made in beginning to close the achievement gap which exists between African American, Hispanic, Asian, and white students.

During Dr. Payzant's tenure, a core curriculum was implemented requiring all students to take rigorous courses in the basic academic subjects.

As a former big city mayor, I am perhaps most impressed with Dr. Payzant's legendary ability to formulate consensus among people with widely differing points of view about how to best operate schools. There can be little doubt that Tom Payzant is among the country's most outstanding educational leaders. But equally important in my view is the fact that Tom Payzant is known and respected across the Nation not only for his exceptional administrative ability, but for his personal integrity as well.

My fellow colleagues, it is a great pleasure for me to present to you Dr. Thomas Payzant, and I urge your support.

The CHAIRMAN. Thank you very much, Senator Feinstein.

We are delighted to have those words of support and welcome, and we would appreciate it if you could make them as brief as possible so we can get on to the witnesses.

The CHAIRMAN. Congressman Filner.

#### STATEMENT OF HON. BOB FILNER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. FILNER. Thank you, Senator Kennedy, Senator Kassebaum, members of the committee. I will be brief, but very firm and strong in my support for the nomination of Dr. Thomas Payzant as Assistant Secretary for Elementary and Secondary Education.

Today I represent the 50th Congressional District of California, which is the city of San Diego. But 11 years ago, as president of the board of education of the San Diego Unified School District, I directed the nationwide search for a new superintendent of schools—I should say, co-directed. My vice president, Ms. Kay Davis, from San Diego is with us in the audience today.

The board, let me stress, then as now, represented the full political spectrum of San Diego. Whether from the inner city or suburbs, Democrat or Republican, liberal or conservative, we were unanimous in our selection of Dr. Payzant. And for a decade, in a record



unmatched by any contemporary urban school superintendent, Dr. Payzant maintained that unanimous, broad-based support.

I was a school board member, a member of the San Diego city council, deputy mayor of the city of San Diego. I worked closely in all those capacities with Tom Payzant, and I watched him become one of the Nation's leading urban school superintendents. He is a remarkable administrator and without question one of the most competent people in public education today.

When he came to San Diego, the school district was in trouble. He brought disparate groups and individuals together with impressive results. He literally turned the school district around, and you will hear examples of that again and again throughout your day of testimony.

He is a principled, caring, hardworking, and extremely imaginative administrator. The best thing I ever did for San Diego was to hire Tom Payzant as superintendent. Your confirmation of him as Assistant Secretary would be a great service to the Nation.

Thank you.

The CHAIRMAN. Thank you very much. Your unique background and experience with Dr. Payzant gives us a good insight into the nominee's background.

The CHAIRMAN. We welcome you, Congressman Cunningham.

#### STATEMENT OF HON. RANDY CUNNINGHAM, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. CUNNINGHAM. Thank you, Chairman Kennedy.

I want to assure the chairman there is only one other time that I have supported a Democrat in a position like this, and that was for my mother and father when my dad was elected mayor. They had been lifelong Democrats until 8 months ago, and I told them if they wanted to see their grandkids again, they would change, and they did. [Laughter.]

I would like to support my good friend Dr. Tom Payzant. We in San Diego are very familiar with Tom's record. As a matter of fact, if you take California politics and put someone in there for 10 years—and I am considered a very conservative Republican—and you can win 99 percent of the support across-the-board, that record stands for itself, and I am very proud to stand up for Dr. Payzant.

In that time, I have seen students improve. I was a teacher and a coach before I flew in the Navy, and I was dean of a college, and my wife is a principal, so we have worked closely with Dr. Payzant in the past, and I have watched students improve in achievement, enhanced curricula. His record has been nationally recognized as test scores went up.

You are also familiar with the immigration problems that we have in the western States. Yet, even with the influx, school systems score higher on achievement tests.

Mr. Chairman, Tom and I have certainly had our differences in the past, and we don't agree on all subjects, but there is no one in this room who will agree on all those issues. I stand in full support of Dr. Payzant and his practical record.

To me, the most important thing, one of the things that I have watched him support, is the communication between the school, the

student, and the parents, and he is in support of the family values that go into a school system, another reason why I support him.

Dr. Payzant has dedicated his career to improving public education. I look forward to his confirmation and working with him on education issues in the near future. I think both he and Secretary Riley are friends of Americans and friends of education.

Thank you, Mr. Chairman.

The CHAIRMAN. I want to thank both of you for coming.

Dr. Payzant, usually we hear commendations from Members of Congress who may have a passing knowledge or awareness of the nominee; I think you have two members here who have a very deep understanding of both your background and experience, they represent different political traditions, and have obviously been very much involved in education issues. These have thus been very outstanding presentations and words of endorsement, and we want to thank both of them very much for taking the time to be with us.

#### OPENING STATEMENT OF SENATOR KENNEDY

The CHAIRMAN. We are meeting this afternoon to consider President Clinton's nomination of Thomas Payzant of California to be Assistant Secretary for Elementary and Secondary Education.

Dr. Payzant is a native of Massachusetts, and so it is a privilege to welcome him to the committee, and I commend him for his nomination.

Dr. Payzant has had a brilliant career as a public school superintendent in Pennsylvania, Oregon, Oklahoma, and California. Under his leadership during the past 10 years, San Diego has gained a reputation as having one of the best managed and most successful urban schools districts in the country. Last fall, Dr. Payzant received the McGraw Education Award, ranking him among the Nation's outstanding public school superintendents.

His accomplishments make him well-qualified for this position in the Department of Education. He has improved academic achievement among the students in San Diego based on overall test scores and the number of students successfully completing advanced placement courses and going on to college.

He has reduced the percentage of dropouts by over 50 percent. He has developed comprehensive service programs to provide students with needed health and social services. Their programs are models for the Nation.

He has created a voluntary integration program involving 46 magnet schools and 35,000 students. He has reduced central administration by 31 percent since 1982 even though enrollment grew by 15 percent during that period. He has cut \$55 million from the school budget in the past 3 years while maintaining strong and positive relationships with the employee unions.

It is clear that Dr. Payzant has the kind of first-hand, school-based experience and skills that will serve the Department of Education well in the years ahead. In particular, he will be indispensable to all of us in Congress as we work on education reform and the reauthorization of the Elementary and Secondary Education Act.

Dr. Payzant has earned high marks for his background and experience, and also for his candor, his integrity, his commitment to

families and children, and his abiding dedication to public education and the right of every child to the best possible education.

In recent weeks, critics have come forward who disagree with positions he has taken, and I know he will address those issues fully today. I look forward to his confirmation and to working with him on the major educational challenges we face. I know this Nation will benefit from his leadership.

We will now receive a statement for the record by Senator Pell. [The prepared statement of Senator Pell follows:]

#### PREPARED STATEMENT OF SENATOR PELL

Mr. Chairman, I join you in welcoming Dr. Thomas Payzant and regret very much I am unable to take part in today's hearing. The fact President Clinton has nominated one of our Nation's longest-serving and most accomplished superintendents in history to be the Assistant Secretary for the Office of elementary and Secondary Education without questions reflects his strong commitment to education and to improving our Nation's schools.

As superintendent of the 8th largest and often-troubled urban school district in the Nation, Dr. Payzant has embraced the visionary leadership that has helped to guide the teachers, students, and parents of the San Diego community toward making a sincere investment in education. He is a judicious leader and an innovative reformer. And I am very encouraged by the importance he has placed on parental involvement, teacher training and drop-out prevention in particular. Such reform efforts are essential to providing a world-class education that our students so desperately need and deserve.

Dr. Payzant's superb record as an educator and administrator have won him national recognition as one of only three recipients of the 1992 Harold W. McGraw Jr. Prize in Education. The Executive Educator has named him one of 100 of the best school administrators in North America. As we stand poised for what could prove to be the most historic reauthorization since the Elementary and Secondary Education Act became law in 1965, it is of immense importance that we have a person of his recognized leadership and expertise as our Assistant Secretary for Elementary and Secondary Education.

I support this nomination with enthusiasm and hope that it will receive swift approval by the Committee and the full Senate.

The CHAIRMAN. Senator Kassebaum.

#### OPENING STATEMENT OF SENATOR KASSEBAUM

Senator KASSEBAUM. Thank you, Mr. Chairman, and welcome, Dr. Payzant.

When Senator Feinstein spoke of the difficulties of being a mayor, I was a former school board member, and I can certainly appreciate the difficulties of being a superintendent, and I think as Congressman Filner mentioned, the days of long tenure for superintendents are almost over. So I think the fact that you have successfully, for 10 years, been superintendent through some difficult times, in one of the largest school districts, certainly speaks highly

to the qualifications that your school board must feel, and they represent the constituents of the school district in your stewardship.

I would just like to comment on, and Senator Feinstein mentioned, the McGraw Prize for education. But one thing that they mentioned in that was that you had instituted a rigorous college-preparatory curriculum, which I think is very important, and helped schools take a larger role in their governance, and strengthened the district's commitment to raising the scholastic achievement of all children. Those are certainly worthy efforts.

I think that this commendation is certainly a strong endorsement of the things that you have tried to do as superintendent. But being superintendent of a large city school district is not easy, and obviously one does not please everyone. One cannot please everyone and really be successful. As was mentioned, we all would have differing views here.

Obviously, you are well aware of some of the difficulties that have already been raised and some decisions that were undertaken unanimously by the school board on your recommendation regarding the Boy Scouts and a policy of nondiscrimination that was endorsed and adopted regarding sexual orientation. I know this will be something that you will address in questions as they come from all of us later, and it is unfortunate in some ways that we have to focus on just one issue, but in this case I think we have to do so and place it in the broader context so that we can answer the questions that have concerned many.

I guess my own comment would be that it is unfortunate that the energies and talents and time have been drawn away in many of our school districts on issues that are not directly related to education, and that to me is really what it should all be about. As schools have had to become more and more involved in social policy, it becomes more and more difficult, it seems to me, to keep the focus where it should be. And that is an editorial comment, but for those of us who care about education, I think we simply must keep that goal at the top of the priority list and have to fight hard against being drawn in and becoming entangled in other issues that can, as I say, draw our attention away from education of the students.

Welcome, and thank you.

The CHAIRMAN. Thank you very much.

Senator Wellstone.

#### OPENING STATEMENT OF SENATOR WELLSTONE

Senator WELLSTONE. Thank you, Mr. Chairman.

I think I'll be very brief, because I'd like to hear from Dr. Payzant. I would just say that I am very impressed that two Congressmen, one Democrat and one Republican, came in with such strong support, along with the support of Senator Feinstein.

I remember having a chance to talk with Dr. Payzant in the office, Senator Kassebaum, and the focus was on—from now my knowledge of you from having worked with you for several year—the really critical education issues of our time. I think Dr. Payzant has just a very, very distinguished record. I hope that is what the focus will be on, and I look forward to your nomination and look forward to working with you.

As we have this hearing today, I am sure we will have a full discussion of issues, but I just want to be crystal clear that I think we have before us, Mr. Chairman, an extremely qualified individual who can provide some great—using the word carefully—great leadership in education, and our country is sorely in need of that.

So I look forward to this hearing. I could say much, much more now, but I would really rather have an opportunity to hear from Dr. Payzant and then have us go into questions.

Thank you.

The CHAIRMAN. Thank you.

Senator Jeffords.

#### OPENING STATEMENT OF SENATOR JEFFORDS

Senator JEFFORDS. Thank you, Mr. Chairman.

I was very impressed by the number of areas of this country that Mr. Payzant has had educational endeavors and experiences in, going from Massachusetts to Pennsylvania to Louisiana to Oklahoma to Oregon and Washington, and then 10 years in California. But that all pales in comparison to the fact that he spent many of his formative days and years in Vermont.

Senator WELLSTONE. I'm sorry—I stand corrected in what I had to say earlier. I didn't realize that was in his background. [Laughter.]

Senator JEFFORDS. I was sorry that he hid that very important fact in the resume delivered to us.

Senator Kassebaum has already outlined the area where I know there is going to be some difficulty with some members on our side, the experiences that you have dealt with, and yet I personally found from my discussions with you that you handled those matters very appropriately, I think, and I am excited about having you come before us today and to be able to listen to you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Simon.

#### OPENING STATEMENT OF SENATOR SIMON

Senator SIMON. Thank you, Mr. Chairman.

I am pleased to join in welcoming you here, Dr. Payzant. Let me just note that the Union Tribune of San Diego—which to my recollection is a Copley Press publication, and the Copley Press is not exactly a left-wing, liberal organization—has an editorial praising you and applauding what you have done, and I would like to put that in the record at this point, Mr. Chairman.

The CHAIRMAN. Without objection, so ordered.

[Union Tribune article follows:]

[FROM THE UNION-TRIBUNE, MARCH 11, 1993]

#### THE PAYZANT RECORD—STUDENTS BENEFITED FROM HIS REFORMS

The San Diego Unified School District faces an exceptional challenge in finding a replacement for Superintendent Tom Payzant, who is joining the Clinton administration as assistant secretary of education for elementary and secondary education.

During his 1-year tenure in San Diego, Payzant has guided the country's eighth-largest school district around pitfalls that have confounded superintendents in other urban districts.

In the process, he built a national reputation as a reformer who could produce practical results. The 125,000 students here have been better off for his decision to stick with San Diego far longer than is typical for superintendents of major school districts.

San Diego Unified is something of an anomaly among urban districts. It is comparatively free of the violence that plagues New York, Los Angeles, Chicago, Detroit, and Philadelphia. The bitter racial and ethnic tensions that have created animosity in these school districts are not common here. To the contrary, integration of the city schools has proceeded during the last 10 years without close court supervision or a corresponding decline in student achievement.

Payzant deserves much of the credit for that.

He was determined from the outset to get the community more involved in schools. Central to his strategy was site-based management, under which administrators, teachers, and parents share in the decision-making at individual schools. This spirit of cooperation has paid dividends both inside and outside the classroom.

San Diego students routinely score above the State and national averages on standardized tests. This is particularly impressive when you consider the diverse nature of the student population.

In fact, San Diego Unified has maintained its student achievement level while undergoing dramatic demographic changes that have lowered test scores in other urban school systems.

Payzant has earned praise for expanding the district's magnet program to promote voluntary racial integration. He pushed for a core curriculum in high schools to ensure that all students have a solid grounding in the basics. He raised the district's graduation requirements. He persuaded more than 400 local businesses and service organizations to give kids a helping hand through tutoring and mentoring programs. And his New Beginnings program at Hamilton Elementary has enabled parents and students to avail themselves of counseling, immunization, dental care and other county social services.

Although this newspaper has differed with Payzant on several policy issues, we've always known him to be a principled proponent of public education. The person chosen to succeed him should be no less committed to the reforms that have helped make San Diego Unified one of the Nation's better urban school districts.

Senator SIMON. I am very pleased to have you here as a nominee, and just as you have children on your tie, I think you are going to have them in mind as you work for the benefit of the children of the country. And I thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Coats.

#### OPENING STATEMENT OF SENATOR COATS

Senator COATS. Thank you, Mr. Chairman.

Dr. Payzant, welcome. I think we would both agree that children today face challenges that we couldn't have imagined in the past. A well-publicized survey of public school teachers comparing the problems of today with those in 1940 dramatically illustrates the differences and the challenges that both teachers and students face. Back in the 1940's, it was talking out-of-turn, running in the halls, cutting in line, littering the schoolyard; and today it is drug abuse, pregnancy, suicide, rape, robbery, assaults in the schoolyard and in the school. Those are challenges which, obviously, tax superintendents, teachers, parents and students, and barriers to learning, and I think we have all understood how that impacts against learning.

Today, students deal with situations that relate far more to the environment, it seems, than to education, both at school and at home. We find that for many, the barriers to education come from both areas—in values and in character—and therefore, any mean-

ingful education reform has to look at this seriously or our best intentions are frustrated in terms of what we can accomplish.

It has been heartening to see that around the country, we have seen some effective reforms and seen some common threads that make these reforms possible. If I could just list three of them, first, I think there is a growing consensus that involvement of parents in every stage of the education process is important. When their influence is resented or denied, learning is handicapped; when it is encouraged and supported, learning is enhanced.

Second, I think we have found that high expectations of academic achievement, if effectively measured, are essential to student performance. It doesn't serve students well when schools sacrifice long-term excellence for lack of standards, or at least, muddled standards.

And third, I believe we have discovered that children must be exposed to values and ideals. Ideally, these are taught at home, but also reinforced in the classroom. Because learning fails in a vacuum of values, children need to know not just the basic of reading and writing and math, but also the basics of character and citizenship.

Your seeking this nomination clearly places you in the forefront of someone who will play a very important role in formulating government policies along these lines. The stakes, I would suggest, are high, and therefore I think it is important for us to jointly explore today your thoughts, ideas and agenda relative to commitment to these principles, which I think is important.

So I would hope that we could have a good, serious, thorough discussion of these issues today, and I look forward to hearing your testimony.

The CHAIRMAN. Thank you.  
Senator Hatch.

#### OPENING STATEMENT OF SENATOR HATCH

Senator HATCH. Welcome to the committee, Dr. Payzant.

I look forward to hearing the testimony, and I have to leave early for out West, so I'll look forward to reading the transcript if I am not here to hear all the testimony.

It is nice to have you here.

Thank you, Mr. Chairman.

[The prepared statement of Senator Hatch follows:]

#### PREPARED STATEMENT OF SENATOR HATCH

Mr. Chairman, I appreciate your scheduling of this hearing to consider the nomination of Dr. Thomas Payzant to be Assistant Secretary for Elementary and Secondary Education. This is one of the key positions from which to influence and implement education policy. I congratulate Dr. Payzant on his nomination by the President for this important post.

It is clear that he has many friends and supporters, and I have appreciated their input as we consider this nomination. There is no question that Dr. Payzant is well known in the educational field and that he has accomplished a great deal.

However, Mr. chairman, as you are aware, several concerns have arisen regarding Dr. Payzant's record as superintendent of the San Diego Schools as well as his educational philosophy. The purpose of this hearing is to permit an examination of the issues and to provide the opportunity for Dr. Payzant to respond to these concerns. I appreciate his being here today and join you in welcoming him to the committee.

The CHAIRMAN. Dr. Payzant, maybe you could tell us the story of your tie. I noticed President Clinton had a similar tie when he visited Boston, and I think it would be useful to know about it.

**STATEMENT OF THOMAS PAYZANT, NOMINATED TO BE ASSISTANT SECRETARY FOR ELEMENTARY AND SECONDARY EDUCATION, U.S. DEPARTMENT OF EDUCATION**

Mr. PAYZANT. Thank you, Mr. Chairman.

The secretaries that I worked with in the central office in the San Diego city schools planned a little going-away party for me, and they gave me this tie. There is quite a story to the tie, because one of the secretaries, when she was back on the East Coast, saw this tie in the window of a retail outlet and, thinking she had no one to purchase it for, didn't go into the store to buy it at that time. But when the secretaries were sitting around, thinking about what to get me for a going-away gift, she said, "I saw a wonderful tie on the East Coast." She couldn't find it in San Diego, called the store on the East Coast, and they were out of it. She couldn't find it anywhere, but the store owner gave her the name of the manufacturer, and the manufacturer's representative on the phone said, "Oh, no, we don't deal directly with customers. You would have to go through a retail outlet." And then she told her that I was the nominee for Assistant Secretary for Education. The person happened to be a supporter of the President, so she said, "We will make this exception and send the tie."

The tie arrived in San Diego. My party was on Friday. It just so happened that that Monday the President was in San Diego for his town meeting, and the President was wearing this tie. So when they gave me the tie, they said this is President Clinton's tie for Tom Payzant.

The CHAIRMAN. All right. You're on the same wavelength, then, hopefully.

We look forward to hearing from you now.

Mr. PAYZANT. Mr. Chairman, Senator Kassebaum, and members of the committee, I am deeply honored and privileged to appear before you as President Clinton's nominee for the position of Assistant Secretary for Elementary and Secondary Education. As a former student and teacher of history and government, I am aware of how special it is to be selected by a President for a leadership position in government.

It is particularly gratifying to have the confidence of Secretary Riley, who was an advocate for children and a catalyst for public school reform during his two terms as Governor of South Carolina. Secretary Riley and I served on the advisory board of the Consortium for Policy Research in Education together, and I was flattered when he called me in January and asked me to come and talk with him about a position on his team.



After spending several hours with Secretary Riley, it was very clear that my views about education were compatible with his and with President Clinton's, and it was clear that I wanted to be a part of that team that is going to provide leadership for systemic reform in America's schools to improve teaching and learning for all of America's children.

Teaching and learning were prominent in my childhood. My mother was a teacher, but when I was born, she left teaching to become a full-time homemaker. My father died when I was in the first grade, and my mom had a tough choice to make. Rather than return to teaching, she decided to quickly get her license to run my father's modest general insurance agency out of our home so that she could be there when I came in from school. She never made much money, but she instilled in me the values that have helped make me a person who is committed to teaching and learning. She was a great parent to me and grandparent to my children.

It wasn't until my senior year at Williams College that I thought about becoming a teacher. I happened to see a card on a bulletin board, asking for volunteers to come to the local high school. I was a history major, and they were looking for somebody to work with a social studies teacher. I started doing that several times a week, and I found that it was really great working with students, and I loved teaching. That was the beginning of what has now been 30 years of wonderful experience working in many different roles as an educator.

I want to share with you some of my thoughts about education and why I am just as committed to teaching and learning today as I was in 1962 when I began my work as an educator.

Since our country's beginning, education has been central to the Nation's development. Alexis de Tocqueville, writing more than 150 years ago, acknowledged the importance placed on public education when he wrote: "But it is the provision for public education which, from the first, throws into clearest relief the originality of American civilization."

That American commitment to public education has permeated our society and led in recent years to our pursuit of the goal in providing universal public education through high school for all.

Were Tocqueville visiting America today, he would surely be intrigued by that national commitment, but he might be surprised to find that the structure of schools, their organization, the roles of people in them, and the teaching methods used are more similar to than different from those used 150 years ago.

I believe in the goal of universal public education for all, at least through high school, and I take seriously our purposes to educate young people, to meet high standards in the core academic subjects, to succeed in the world of work, to function as active citizens in a vibrant democracy, and to find personal fulfillment in one's life and the contributions the individual makes to improving the quality of life for the entire community.

It is important to have continuity of purpose and the national education goals that are included in the "Goals 2000: Educate America Act" provide it. In addition, we must understand that the dramatic changes in our society call for changes in the schools. It cannot be business as usual, for the challenges of meeting high ex-

pectations will require creative new approaches to teaching and learning and the organization and structure of our schools.

Our public school districts and schools must respond to these challenges. Educators and policymakers no longer have the luxury to simply focus on the traditional academic mission of the school. Every issue in the community now finds its way to the schoolhouse door. The schools should not be responsible for meeting every need that a child has, but children carry all of their needs to school with them. And schools cannot keep children waiting simply because others refuse to address their needs.

Schools must serve an increasingly diverse student population that includes children from many different racial, ethnic, cultural, social and economic backgrounds. We can't let differences separate us. America cannot tolerate a permanent two-tiered system of haves and have-nots, skilled and unskilled, employed and unemployed, English-speaking and non-English-speaking young people. Our democracy and the workplace of the future will require citizens and workers who can solve problems, think, communicate, make decisions, work in groups, and be responsible members of society.

Strong public schools must be a central element in our efforts to avoid the establishment of a permanent underclass in America. Our public schools must, as they always have, bring this Nation together and serve the common good.

America must have world class schools if we are to maintain our place as a leader in the rapidly developing global economy. We must remain internationally competitive. This means that all students must achieve the high standards that we traditionally have expected only a small percentage of students to meet. Fundamental literacy is an insufficient goal. Challenging content, thinking, problem solving, and decisionmaking are the essence of what all students must know and be able to do.

But reinventing and restructuring American education cannot be accomplished alone with top-down injunctions that prescribe one best way to teach and to learn. Change must also come from the bottom up, from the schools and classrooms of America, where teachers engage children with challenging materials, varied instructional strategies, and a supportive climate for learning.

Many things have to happen simultaneously. In the past, our efforts have often been fragmented, short-lived. I believe that the home, the school, parents and educators have to work together as partners. There is nothing more important than making sure that every child and young person have at least one caring adult in their lives. Too many young people have no advocates. We can make sure that these caring people are in children's lives if educators and parents will work together.

We have to put into practice what we know about how children learn. That will move us quickly away from business as usual. New forms of assessment connected to the curriculum and to what teachers teach are needed to demonstrate how well students think and solve problems.

The role of the teacher is clearly changing. Teachers are going to have to work more collaboratively with each other and not be isolated in their classrooms. And as parents and staff members be-

come more involved in making decisions at local schools, they must be prepared to accept more responsibility for results.

The greatest resources in education are information and people. Often, we focus on how to give students access to more information, yet we neglect the parents and teachers who are the important human resources in the process of education. So we have got to find ways to enhance professional development opportunities for teachers and other adults who are working with children.

In San Diego, where I served as superintendent for more than 10 years, I tried to work with staff to eliminate fragmentation, to put all the pieces together, to make the whole school experience for children greater than the sum of its parts. We were working on systemic reform for several years, and it was a demanding, difficult, sometimes even daunting task. But now, it is beginning to make a positive difference in the lives of children and young people.

San Diego has a common core curriculum which expects all students to meet high standards in the basic academic subjects. New assessments are being tried to find better ways of connecting curriculum and instruction and measuring the progress students are making in reaching the high standards of the core curriculum. Dropout rates are declining significantly, and each year, students from the cross-section of the student body take and pass College Board Advanced Placement courses and exams—many more than in the past—and are meeting the rigorous entrance requirements for the University of California system.

Institutions in San Diego which provide services for children, youth and family are collaborating with the schools so that there will be better integrated services. Shared governance teams of parents and school staff have been formed at each school and are tackling the difficult decisions on how to make things better. Even the controversial issue of accountability is being addressed, and 10 schools are developing results-oriented systems for accountability. Central office administrative costs have been slashed to make sure that the precious resources are available for children and teachers in classrooms. And the public has shown its support for schools by voting two tax measures in 1988 and 1992 to support over \$400 million in new school construction and modernization projects.

As a former classroom teacher, school superintendent and lifelong educator, I believe that every child can learn and deserves to be taught effectively. I believe that the diversity of our country is something to be cherished and not feared. I believe that there is a national interest in providing leadership for the improvement of education for all of America's children, but I also respect very much our American system that leaves to States and local school districts the major responsibility for organizing and operating the schools.

I am proud of my beliefs and accomplishments. Being a big city school superintendent is one of the most difficult jobs in America. It is a public job. You are hired by an elected board on a short-term contract to be the chief executive officer of the school district, a very complex organization. San Diego city schools has more than 125,000 students, over 10,000 employees, 155 schools, a student population which is 19 percent Asian American, 17 percent African

American, 30 percent Hispanic, 33 percent white, one percent "other."

Over 60 different first languages are spoken by children in San Diego city schools. You must be an advocate for all of the children, respond to dozens of constituencies, handle numerous complaints, resolve conflicts, respond to the media, meet rising expectations with shrinking resources, manage complex multimillion-dollar budgets, select personnel wisely, welcome accountability, build coalitions, take criticism graciously, defend lawsuits, lobby government officials, and somehow, somehow in all of this, try to keep the focus on the mission of the school, which is to enhance teaching and learning for all students.

It is not easy. Difficult issues arise, and invariably, superintendents end up making decisions that anger some and cheer others. I have had my share of tough issues to wrestle with, and in those cases I have tried to get the best minds I could find to work with the most complete information available to help me make the best decisions I can make. When I make such decisions, however, I take full responsibility for them, knowing that I must be able to live with them.

I would like now to discuss two such decisions which have recently been raised in connection with my nomination. Over 16 years ago, when I was superintendent in Eugene, OR, a teacher in one of my schools was accused of sexually molesting a student. Upon learning of the allegations, I became immediately concerned, and upon the advice and instruction of school district lawyers, I began an investigation of the charges. I followed the instructions of counsel every step of the way. Some months into the investigation, I was called to testify before a grand jury. I cooperated fully and withheld no information. As you can imagine, I was shocked when the grand jury indicted me for failure to report the alleged molestation to the proper authorities in a timely fashion; and the school district attorneys were shocked, too. Immediately, they filed a motion to dismiss my indictment. The indictment against me was promptly dismissed. In addition, after a trial, the teacher who had been indicted was acquitted of all charges.

As you might suspect, it is an unnerving and extremely difficult experience to be improperly charged. Following the advice of counsel, and doing what I also believed to be right, I cannot tell you how hard it was to face such a challenge.

The second challenge I want to share with you occurred more recently in San Diego and was very difficult as well. The elected board of education adopted a nondiscrimination policy which included sexual orientation. This policy appeared to be at odds with Boy Scout sponsored programs which took place during the regular school day when students were in compulsory attendance. A Boy Scout myself, and long supportive of the programs the Boy Scouts sponsor, I was faced with a very tough decision. After long and thoughtful discussion, I recommended that the school district continue the widespread use of school facilities for scouting programs after normal school hours, but disallow such programs during the regular day when students are in compulsory attendance. The school board unanimously agreed.

The policy affected in-school Boy Scout programs in only four of 110 elementary schools. The secondary school career awareness program, also sponsored by the Boy Scouts, was eliminated in 11 secondary schools. But after-school programs continue in more than 60 elementary schools in San Diego.

When I resigned as superintendent in San Diego last month, only one—because another one has left—current large city superintendent had longer tenure in the same job than my 10½ years in the same job. The widespread support among parents, business and education groups for my nomination I think is evidence of my many positive accomplishments and reflects an understanding of controversies that will always arise.

My 30 years of experience as an educator working in school districts of various sizes and complexity in seven different regions of the country have prepared me well to assume a leadership role in the U.S. Department of Education. The important issues facing public education in America cannot wait. We must improve teaching and learning for all students. We must form Federal, State, and local partnerships to plan and implement systemic reform. We must ask parents, educators, and policymakers to accept shared responsibility to improve the conditions for children, and we must establish professional development opportunities for the teachers and other adults who are the essential resources in the classrooms of America.

My wife and I have been blessed with three wonderful children who are now young adults. Our oldest child started kindergarten in 1969, the year I began my first job as a superintendent of schools in suburban Philadelphia. Our children have not always been happy that they had to go through 13 years of public schools in districts where dad was superintendent, but they sure helped me understand the student's perspective. They kept me honest, and they were always quick to remind me not to take myself too seriously.

There have been occasions during my career, of course, when opponents have criticized me, and my children have not known whether to laugh because the criticism so clearly misrepresented the facts and seemed ridiculous from their point of view, or to stand up and shout, "Don't talk that way about my dad." It is at times like these that I can give them the same good advice they have given me—don't take criticism too personally. No one can challenge our commitment to each other and our family.

Earlier this year, when I was speaking to all of the principals and central office administrators in San Diego about our responsibilities for 125,000 San Diego children, I talked about my granddaughter, who just a couple of weeks ago turned 2. I care very deeply about Emily and her future. And I said to all of those leaders of education in San Diego that my responsibility was to be just as passionate about the future of the 125,000 young people in San Diego city schools as I am about Emily's future.

If confirmed by the Senate, it will be a privilege as part of Secretary Riley's team to work with you to build consensus for a plan to help States, local school districts, and individual schools develop world class educational opportunities that make a positive difference in the lives of all children.

I will be the same strong advocate for every child in America as though each is Emily.

Thank you, and I am happy to take questions.

The CHAIRMAN. Thank you very much.

We'll follow a 10-minute rule on questioning.

I look forward to exchanging ideas with you and hearing you out on some of the important education matters. That is really what should be the focus of this hearing. But I admire the fact that you have addressed two issues that have been raised by certain individuals and groups, and the forthright way in which you have addressed them. I think you are to be commended for that. I am sure we will be asked about these matters on the floor, and we had a chance to talk about them completely to my satisfaction when we had the opportunity to visit several days ago. I will inquire of you on some of those details now and try to make a complete record. There will be others who will, I am sure, ask you as well, and then hopefully we can get to what this hearing ought to be about; the future of the children in this country and the future of education policy.

It is with at least some regret that we raise these issues, but nonetheless it has to be so.

On the issue of the Oregon indictment, if I could just go through that, and you may elaborate your answer in whatever way you wish. As I understand it, when this matter was brought to your attention and you were made aware of the charge, you contacted the school district counsel and initiated an investigation of the charges. Is that right?

Mr. PAYZANT. Yes, Mr. Chairman.

The CHAIRMAN. And that counsel, those are lawyers—

Mr. PAYZANT. Yes.

The CHAIRMAN. [Continuing]. Who are available to the school district. Is that right?

Mr. PAYZANT. Yes, sir.

The CHAIRMAN. And you followed the advice of counsel while the investigation was proceeding. Is that correct?

Mr. PAYZANT. Yes, I did.

The CHAIRMAN. And then, I think as you mentioned, when you were called before the grand jury, you cooperated fully, and I think you mentioned that you were stunned and shocked when you were indicted for failing to report the incident to the police or the children's service. You were unfamiliar with the State statute that had that requirement, and your counsel evidently was unfamiliar with it as well?

Mr. PAYZANT. Correct.

The CHAIRMAN. Which was it—that you were unfamiliar, or that your counsel was unfamiliar?

Mr. PAYZANT. I certainly was, and I was following advice of counsel. And I can't speak to his interpretation, but I think he believed fully that we were following appropriate procedure in the way we were handling the investigation.

The CHAIRMAN. It was certainly your intention to investigate it and to work with the legal authority of the school district and to get to the bottom of the charges and to cooperate with the grand jury?

Mr. PAYZANT. Yes, it was.

The CHAIRMAN. The school district counsel filed a motion to have the case against you dismissed, as I understand it.

Mr. PAYZANT. Yes, counsel did.

The CHAIRMAN. And the court quickly granted that, and the dismissal was granted; am I correct?

Mr. PAYZANT. Yes, it was.

The CHAIRMAN. And even though the case was appealed, the court's dismissal of all the charges against you was upheld; is that correct?

Mr. PAYZANT. The court of appeals upheld the lower court decision.

The CHAIRMAN. Well, certainly there may be some who disagree, but I fail to see how this reflects in any way other than in a responsible one on the way that you conducted yourself, and I think it is reprehensible to attempt to use the unfortunate episode to challenge qualifications.

On the issue of the Boy Scouts, as I understand it, you were a Boy Scout yourself.

Mr. PAYZANT. Yes, I was, Senator, although I think I only got to the Life Badge and never made Eagle; but I remember that one of the merit badges I enjoyed most—I was a beekeeper, and there was a beekeeping merit badge, and so I had a lot of fun getting that one, and I remember that well.

The CHAIRMAN. How long were you—we won't go into all the details of that particular award, although others might—but how long were you in the Scouts?

Mr. PAYZANT. I was a Cub Scout, and now you are really testing my memory—I think you could go in at 8 in those years, and then you had to wait until you were 12 to go into the Boy Scouts, and I think I was in the Boy Scouts for maybe 2 years, until I was 13 or 14.

The CHAIRMAN. And your son—

Mr. PAYZANT. My son is now a 29-year-old attorney, but he was a Cub Scout, and my girls were active in Girl Scouts.

The CHAIRMAN. So as I understand just from our own conversations, you were proud of being a Scout and glad your children were Scouts; is that right? [Laughter.] I do apologize for these questions, but this is the way it goes around here.

Mr. PAYZANT. That's right, Senator.

The CHAIRMAN. That's good.

Now, I should have mentioned this earlier, but as you mentioned, the school board which signs the contracts is an elected school board; is that correct?

Mr. PAYZANT. Yes, it is.

The CHAIRMAN. And they have as recently as 1992 contracted with you for a continuation of service?

Mr. PAYZANT. Yes.

The CHAIRMAN. Now, at some time in early 1991, as I understand it, there were several suicides in the school system in San Diego involving students, and there was at least some reason to believe that some of those students may have been gay; is that correct?

Mr. PAYZANT. That is correct.

The CHAIRMAN. When was that?

Mr. PAYZANT. There have been, unfortunately, several suicides each year for almost as far back as I can remember into the early or mid-eighties. And of course, it is a devastating matter when there is any loss of life, and when a young person takes his or her own life through suicide, it is also a very private issue with respect to the family and relatives. So there were suggestions that several of the students may have not have been heterosexual students, but I don't know that for sure.

The CHAIRMAN. Well, at some time around these reported tragedies, did you form some kind of a commission to review either the incidents or the difficulties that were being reported to you about these kinds of issues?

Mr. PAYZANT. Yes. In the last few years, I have been getting increasing comments from teachers, counselors and principals about such concerns, and there was an informal group that convened with some school district personnel and some people from the community around late 1990, early 1991, to begin looking at issues that affected students who were not heterosexual. And then in March of 1992, they came to visit with me and asked that I recognize them as a formal committee rather than the ad hoc group that had been meeting for more than a year, and I did that.

The CHAIRMAN. So to get this correct now, in February of 1991, an informal group on gay issues in the school community was formed, and that was at least a year before the Boy Scouts issue came up, and that group had been meeting informally to discuss, among other things, the inclusion of sexual orientation in the district's antidiscrimination policy as one of the ways of addressing the disproportionately high suicide and dropout rate among homosexual teenagers.

Mr. PAYZANT. That is correct.

The CHAIRMAN. And then in February 1992, the board received a letter from Queer Nation complaining of the Boy Scouts anti-discrimination policy and calling for the board to stop the Boy Scouts from having access to school property. The draft letter from the education department responded, maintaining that the Learning for Life program does not deal with sexual orientation, and therefore discrimination does not occur. The letter was not sent, but it could be seen as contradicting the later policy that the very fact that the Boy Scouts discriminated in their recruitment is enough to go against the antidiscrimination principles.

Mr. PAYZANT. That's right.

The CHAIRMAN. And then in March of 1992, the sexual discrimination committee met with you and was formalized as a committee, but this formalization was not based on the Boy Scouts issue?

Mr. PAYZANT. That is correct.

The CHAIRMAN. And the committee issued a report recommending, among other things, the inclusion of sexual orientation in the board's antidiscrimination rules.

Mr. PAYZANT. Yes, it did.

The CHAIRMAN. And then in the summer of 1992, the Scouts' anti-gay policy hit the headlines in San Diego, including the case of a well-respected police officer involved in the Boy Scouts who was spotted at a gay march and dismissed from the Scouts. The



board held hearings as to whether sexual orientation should be included in its antidiscrimination rules, and at that time, you resigned from the San Diego County Boy Scout Council because of its personnel policies with regard to sexual orientation.

Mr. PAYZANT. Yes, I did.

The CHAIRMAN. And in October, the board discussed the sexual discrimination committee report, and in December, sexual orientation was adopted onto the school's antidiscrimination rules by a unanimous vote of the school board.

Mr. PAYZANT. The only correction—it was my top staff level that had the discussions in October, and the matter came before the board of education in November, and it was approved in December by a unanimous vote of the board.

The CHAIRMAN. And the board discussed the issue of the Boy Scouts using the school premises during school time, given their anti-gay policy. That was in December. And then in January—I guess that would be January of 1993—the board voted unanimously to cease allowing the Boy Scouts to use the school premises during school time to conduct their Learning for Life program. This ruling, as I think you mentioned, affects 15 out of the 155 schools and had nothing to do with the 60-plus Scout groups that continue to meet out of school hours?

Mr. PAYZANT. That's right.

The CHAIRMAN. OK. My time has expired.

Senator Kassebaum.

Senator KASSEBAUM. Thank you.

Just to continue on a bit on this same subject, regarding the task force that you put together in March or early 1992 that was to address gay, lesbian and bisexual issues, I guess, in education, or that would affect education, the committee produced a report in June of 1992 with a variety of recommendations, one of them being, of course, the sexual orientation of the school district's anti-discrimination policy. There were many other recommendations in that report. Did the district adopt any of the other recommendations?

Mr. PAYZANT. The major recommendation adopted by the district was adding sexual orientation to the nondiscrimination policy. The other recommendations that were adopted and have not been implemented as of the time I was in the district, but are being implemented this summer and fall, were those on staff development and in-service training for employees in the school district. There has been no discussion yet of implementing the recommendations with respect to curriculum and materials.

Senator KASSEBAUM. Has this even been discussed by the school board?

Mr. PAYZANT. It had not during my tenure in San Diego been discussed by the board. I did not bring it forward as an issue, and it had not been discussed at a board meeting as of the time I left. I am saying that only because I heard that there was a group that came to the board of education last week—and of course, there is a new superintendent now—urging the board not to get into the discussion of the curriculum materials issues.

Senator KASSEBAUM. Do you feel that this is something that should be considered by a school district, a curriculum and text-

book context on issues such as the gay and lesbian and the sexual orientation issue?

Mr. PAYZANT. Where I have been very, very strong and continue to be on the issue of adding sexual orientation to the non-discrimination policy, I have many more reservations and think that there needs to be a great deal of caution taken on the issue of curriculum and curriculum materials. And I made the judgment while I was still there that it was not the proper time to bring that issue forward as a major issue in San Diego.

Senator KASSEBAUM. I certainly share that concern with you. I personally would have grave reservations about that being a consideration for curriculum myself.

Another question along this line is that it has been reported in various newsletters in opposition to your nomination that you sponsored and successfully advocated special rights for, quote, "homosexual kids within the public school system." Is this accurate?

Mr. PAYZANT. I think every student is special, and their needs should be met. I have no idea what that reference is to, other than as one often will do, when you are talking about the needs of a child who does not speak English or has a disability of some kind or has a particular characteristic that needs to be addressed, it may have come up in that context, but not in terms of a special program, other than sensitizing staff, particularly counselors and teachers who work with young people, to recognize that there are many, many needs that have to be met, and you have got to understand the wide array of needs in order to be able to respond to them.

Senator KASSEBAUM. Does this include being able, as I'm sure it must even now, where one goes for referral from the school to a social service agency that can provide a support system?

Mr. PAYZANT. That's correct. There are many, many organizations in the city of San Diego that provide services for children, youth and families. And as I mentioned in my opening statement, the schools can't do everything, and it is not unusual for nurses or counselors or other educators to work with families and try to get them help or assistance from agencies in the community.

Senator KASSEBAUM. I think, and I am sure just from your opening comments, Dr. Payzant, you believe that parental involvement is very important. I really think that it makes the difference between a student who is going to do well and one who will not succeed well in the educational system. If there isn't a parent there to be involved, there has to be a support system that a child can draw on. Parents who stress the importance of education, who care about what their children watch on television, who see that homework is done—these are all things that are very important.

You spoke to the diversity in your district, which is quite extraordinary. What types of initiatives did you try as a school superintendent to increase parental involvement with students, and did you have a special program where there was not a parent who cared that there was a support system that could be drawn on?

Mr. PAYZANT. As with most things, Senator, there is not one best way. The parent involvement task force which we created grappled several years ago with what the policy ought to be for the school district with respect to parent involvement. They came forward to

me in the board with a very strong statement. The board adopted it, and in fact, we have given modest but important resources to a parent involvement person in the school district who works full-time on parent involvement activities.

We have also worked with community-based organizations, particularly in the Latino communities and the African American communities, who are doing parent training in our schools, and that has been very effective in trying to give parents and teachers the kind of skills that they need to work together as partners to support the children.

We have gone to a shared governance model in each school where parents have to be included on the decisionmaking teams. And with respect to the other part of your question, we are also trying to get various agencies to collaborate so that we can refer families and help them deal with the bureaucracies that we often throw up in our respective institutions in a little bit better and more friendly way to get the services that are needed. And we have an open door policy in the schools in trying to get parents to come in whenever they can and are working with the business community to encourage the business community to release employees to go for parent conferences in schools because we think that is very important.

Senator KASSEBAUM. My last question is, of course, as you well know, we are going to be reauthorizing the Elementary and Secondary Education Act. Being a former school board member, I have always been a strong believer in local controls and that initiatives that really survive and are important tend to stem from the bottom up rather than the top down. I wonder—and it is a very general observation to ask you to make—but if you believe as we look at initiatives, whether it is curriculum, whatever other policy we may be looking at, if indeed it is important to have that involvement from the bottom up, and make sure that that is a part of any initiative, before we can really hope to be successful with a plan that can sustain itself for any length of time.

Mr. PAYZANT. No question about that. As superintendent in San Diego for 10 years, I learned that about halfway through my tenure and attempted to act on that knowledge by working to really develop school-level involvement and push more decisions to the local school level.

In my opening remarks, I tried to convey that I believe there is a national interest that we all have in public education in America, and we have to respect the local and State traditional roles in exercising their responsibilities. And I think the exciting opportunity is to find a way to forge new partnerships so that we can have the proper blend of top-down and bottom-up that will get us to the point that we can realize those very important six national goals.

Senator KASSEBAUM. Thank you very much.

The CHAIRMAN. Senator Wellstone.

Senator WELLSTONE. Thank you, Mr. Chairman.

I think I would like to build on some of the questioning of Senator Kassebaum, but just for a moment, so that I am clear about this, the policy of nondiscrimination was a policy that had unanimous school board support; is that correct?

Mr. PAYZANT. Yes, Senator.

Senator WELLSTONE. And I just want to make sure that I understood your answer to the question that Chairman Kennedy put to you about the attack on you for being for, quote "special rights," and you said something like you don't remember that—you do remember believing as a superintendent, just as you believe now, that every child is special, and to the extent that every child is special, you want to make sure that there is not discrimination against any child, right—

Mr. PAYZANT. Exactly.

Senator WELLSTONE. [Continuing]. Because by definition, if all children are special, we don't want to see discrimination against any child with regard to race, gender, or sexual orientation. Does that go right to the core of what this is all about?

Mr. PAYZANT. It goes right to the core in terms of my philosophical beliefs as well as what I have tried to do in transforming my words into deeds for the 30 years I have spent in education.

Senator WELLSTONE. I understand. Well, I am just trying to figure out how, just looking over your testimony—your mother was a teacher, and then she left teaching after you were born, and then your dad passed away when you were in first grade, but you were raised in a family where there was a strong emphasis on education. And then you go on in your testimony, and you talk about education as key to the economy, in the spirit of John Dewey, education as key to a democracy, the importance of having men and women who can think on their own two feet; you talk about teacher involvement, teacher revitalization; you talk about the importance of bringing in families. You make the point that there are limits as to what teachers, administrators, and men and women in education can do, but we can no longer decontextualize education from what happens to the child before he or she comes to school, much less what happens to them before they go home.

I mean, there is so much to focus on that is so important, which is what I think you are all about. Let me just ask you whether you could for a moment sort out what you see as your own personal priorities. When historians write back about your work as Assistant Secretary for Elementary and Secondary Education, what would you like for them to be saying about your imprint?

Mr. PAYZANT. Let me mention four. The first one will not seem innovative, but I put it at the top of the list because while we have talked about it for years, we have still not done it very well—and that is to improve teaching and learning for all students. I think if we only asked ourselves the question, as we pondered every policy decision we make, what difference will this make, and how will it improve teaching and learning for the children of America, that would be the threshold question to ask. I hope that it is asked more and that it is answered against the criteria for improvement in teaching and learning.

Second, I think we have to move away from a fragmented approach with individual programs and really look at how we are going to take our limited resources and have a plan for a total school, a total school district, a total State, that will use those resources wisely to help us achieve the national goals.

So I am going to be pushing based on my experience as an educator in real schools, with real teachers and children, on how to do

that better and well, recognizing that balance between top-down and bottom-up.

Third, I think the agenda is more than an educational agenda in this Nation. It is an agenda that has to address the conditions of children. It is outrageous that one in five children in America live at or below the poverty line. In California, it is one in 25, and in the urban districts of America it can be as high as one out of 2 or more.

Now, the educators, as I pointed out and you noticed, too, cannot do it alone, but we have got to find ways to bring people together who have an interest in children, youth, and families—the different departments at the Federal level, the State level, the local level—to work together rather than separately toward these common goals.

And then, finally, I don't know too many organizations in the private sector that do not invest in people, because business people know that their human resources are their most valuable resources. We haven't done a very good job of that in education, and we have got to invest more in the people, particularly the teachers, who are at the focal point of what goes on in America's classrooms.

Senator WELLSTONE. Mr. Chairman, I have many, many more questions, but I think I have run out of time. I look forward to working with Dr. Payzant.

And my apologies. I have to preside at 4:00, so I'll have to leave early. Thank you very much.

The CHAIRMAN. Senator Coats.

Senator COATS. Thank you, Mr. Chairman.

Dr. Payzant, just a question regarding the situation in Oregon. I am sitting here, trying to figure out why the grand jury would go ahead and bring the indictment for failure to report if there was no basis for it, and let me just see if I can get the chronology of this correctly.

It was fall of 1976 when you first became aware of the alleged sexual abuse; is that the time frame?

Mr. PAYZANT. Late fall, yes.

Senator COATS. And then you immediately instituted on the advice of counsel an investigation in school—I mean, within the system.

Mr. PAYZANT. Yes.

Senator COATS. It was during the spring of 1977 that the grand jury called you to testify?

Mr. PAYZANT. Late spring, as I recall.

Senator COATS. So, roughly 6 months after the incident was first brought to your attention?

Mr. PAYZANT. It was in the 4- to 5-month range. I don't recall precisely.

Senator COATS. And was that the first time in which it would be deemed to have been reported outside of the school system investigation?

Mr. PAYZANT. No. I believe prior to the grand jury investigation that it had been reported, but I am not sure.

Senator COATS. But do you know roughly the time lag between the time it was first brought to your attention and it was reported?

Mr. PAYZANT. It probably would have been 3 to 4 months.

Senator COATS. Was the indictment, then, brought for failure to immediately report? Was that the basis for the indictment?

Mr. PAYZANT. As I recall, it was failure to report in a timely fashion or immediately report.

Senator COATS. Didn't the applicable statute here require that listed officials—and I believe that included school officials—report immediately when they have cause to believe that an incident of abuse has occurred?

Mr. PAYZANT. I didn't know that at the time, Senator.

Senator COATS. So you were unaware that that was the applicable statute?

Mr. PAYZANT. That is correct.

Senator COATS. But that was the basis for the grand jury indictment, because they deemed that a violation of that statute.

Mr. PAYZANT. That's right.

Senator COATS. And you were operating under advice of counsel, and you were not aware of that statute, and apparently, counsel was not, either?

Mr. PAYZANT. I can speak for myself, but not for counsel, Senator.

Senator COATS. Right, okay.

The second series of questions I have is in regard to the Boy Scout matter, which I think also it is important to clear up for the record. And again, I want to go through the chronology of it just to see if I understand the chronology correctly.

You had been meeting with an informal advisory group relative to the policy before the time you received the letter from Queer Nation; did I understand that correctly?

Mr. PAYZANT. I had not been meeting with the group. The group had been meeting with some school district representatives as part of it for a year or more prior to the letter being received.

Senator COATS. So the formation of the official committee, the superintendent's committee on gay, lesbian and bisexual issues in education, the actual formation of that, was after you received the letter from Queer Nation; is that correct?

Mr. PAYZANT. It was after I received the letter, but it had nothing to do with the letter, that I recognized the group officially.

Senator COATS. Just for the record, you received the letter in February of 1992?

Mr. PAYZANT. Actually, the person spoke during a public hearing at a board of education meeting and then—

Senator COATS. Was that in February?

Mr. PAYZANT. As I recall, it was, yes.

Senator COATS. And then the group was formally established in March of 1992?

Mr. PAYZANT. That is correct.

Senator COATS. Did you receive legal advice from your in-house—not in-house—but from your counsel relative to the issue at hand, the scouting program?

Mr. PAYZANT. It is in-house counsel, Senator; you are correct.

Senator COATS. OK.

Mr. PAYZANT. The in-house counsel prepared a draft of a letter to Mr. Ross for my signature, but I did not send the letter because I didn't know how to respond to one of the questions that Mr. Ross

had raised which had to do with the official Boy Scout policy with respect to sexual orientation. So that letter was never sent.

Senator COATS. But the draft, did it not conclude that the scouting activity was lawful?

Mr. PAYZANT. Based on board policy in the spring of 1992, that is correct.

Senator COATS. And what changed, then, to make it unlawful?

Mr. PAYZANT. The board's adoption of a nondiscrimination policy which included sexual orientation.

Senator COATS. But wasn't it true that even with that adoption there was some question as to whether the Learning for Life program conducted by the Boy Scouts was covered by that policy?

Mr. PAYZANT. Not according to district counsel. Once the board adopted the policy, district counsel issued an opinion that the continued involvement of the Scouts in the schools during the school day when students are in compulsory attendance would be in violation of the policy because of what by that time was clear the Boy Scouts have as a policy with respect to who can be in the organization and who can serve in leadership roles within the organization.

Senator COATS. Well, let me read you two statements from that policy. On March 12, 1992, the general counsel said, and I quote: "Neither the Learning for Life program nor the in-school scouting program contain any discussions relating to gay rights issues. Consequently, we see no support for the contention that sexual orientation discrimination is occurring within these programs." And then on September 30, 1992, they said: "The Learning for Life program does not advocate anti-gay discrimination. These issues are not raised in any context in either the career awareness program or in the in-school scouting program. Consequently, it would not appear that the Learning for Life program in effect at district schools violates any proscriptions against anti-gay discrimination."

Did you disagree with this legal reasoning, or what was the basis for going forward with the policy that went against this legal advice?

Mr. PAYZANT. There are two issues, Senator. You are absolutely right, and were counsel here today, I think they would stand by the opinion that they issued in March and in September with respect to the materials that are in the Learning for Life program and the practices in teaching those materials that the Boy Scouts use, whether in the in-school scouting program during the school day or in the career awareness program in the high schools that use it during the school day.

I think they would also say that there is a second issue which isn't related to the first, that is based on the fact that the board has now a nondiscrimination policy which includes sexual orientation, and that is whether an organization that has a policy that violates the school district's nondiscrimination policy should be allowed to sponsor a program within the school day while students are in compulsory attendance. To that question, they answered, no, it is not.

Two separate issues. Two opinions I think they would stand by today as they did when they wrote them some months ago.

Senator COATS. Were there any other organizations operating within the school that might fall within the same category?

Mr. PAYZANT. Not to our knowledge. No one has come forward and raised the question about those that are there. I did take it upon my own initiative to raise that issue with the Girls Scouts, because the Girl Scouts have a parallel program that operated during the school day in those four elementary schools in which the Scouts had the in-school scouting program.

Senator COATS. Was your decision supported generally by the parents?

Mr. PAYZANT. I can only tell you how it was supported by the people who spoke out. And in terms of the two issues—and let's separate them—on the first issue, which was the adoption of a non-discrimination policy to include sexual orientation, there were no phone calls to my office that said yea or nay. As I recall—

Senator COATS. Well, the issue I am really getting at here is the decision on the Boy Scouts.

Mr. PAYZANT. Right, and the letters were about evenly divided. On the Boy Scout issue, we had about 17 calls in my office on that, which is not a great number on a controversial issue, and they were all opposed to the position that I and the school board were taking. And the letters were about 3-to-1 or 4-to-1 against the position that the board and I were taking.

Senator COATS. So the report in the L.A. Times, quoting you, saying your mail was running 3-to-1 against your recommendation, that is just based on 11 calls?

Mr. PAYZANT. It was based on the letters at that point, and actually, afterwards, we had more letters against, so it is probably closer to 4-to-1 against.

Senator COATS. And the report in the L.A. Times dated January 13, 1993, which says the local Parent-Teacher Association had also asked that the Scouts not be ousted, does that reflect more than 17 inquiries? How did this become such a major national problem, with 17 people complaining?

Mr. PAYZANT. I wish I knew the answer to that. There are two kinds of things that happen, as I am sure you are aware. At a public board meeting, there is an opportunity for people to come and testify in front of the board. And as I recall, the president of the local PTA council spoke at the board meeting in January prior to the board actually taking a vote on the issue and reported that the PTA council was opposed to the position that the board and I were taking.

Senator COATS. Well, my time is running out, so let me just ask you this. Do you think the action you took was generally supported by the people of San Diego who have students in the schools, or not supported?

Mr. PAYZANT. Probably more people do not support it than do, but there was a great deal of misunderstanding about what the action was, and once people knew that we were not asking the Scouts to leave the schools and their after-school program, where most of the children were being served, a lot of people got a lot less exercised than they had been before when they thought we were somehow asking the Scouts to leave altogether.

Senator COATS. Well, you indicated in your statement that "after long and thoughtful discussion"—I am quoting now—"I recommended that the school district continue the widespread use of



school facilities for scouting programs after normal school hours." I think that is what you are referring to here. But isn't it a fact that the California Civic Center Act states that—and I quote—"There is a civic center at each and every public school facility and grounds within the State where its citizens, parent-teacher associations, Campfire Girls, Boy Scout troops"—and it goes on—"may engage in supervised activities and where they may meet and discuss from time to time as they may desire subjects and questions," and so forth and so on? That is the law of the State of California. Why did that take long and thoughtful discussion to make a recommendation of something that you were legally obligated to do?

Mr. PAYZANT. That part didn't, Senator, but as you know, on these controversial issues, you have a lot of people clearly on one side or the other, and people who are clustered in between, and one side was urging me and the board to take the leadership in the State and try to convince the legislature to change the law. And we were asked to do that, and I recommended that we not.

Senator COATS. So when you said "long and thoughtful discussion," that meant you were thinking long and hard about whether or not to ask the legislature change the law, not about whether or not to allow the Boy Scouts to meet after-hours in the schools?

Mr. PAYZANT. The long and thoughtful discussion was around all of the issues that related to what we have been talking about for the last few minutes.

Senator COATS. So no other organizations other than the Boy Scouts fell within the parameters of what you feel is violating either in fact or in spirit the policy of the school board relative to discrimination?

Mr. PAYZANT. Not in terms of organizations that are currently sponsoring programs within the school during the day when children are in compulsory attendance.

Senator COATS. Let me clear up something that has been quoted in the L.A. Times again. It said, "Payzant spoke personally about his Boy Scout experiences in the early fifties, saying he was taught the values of tolerance and inclusiveness and to challenge those who engage in stereotypes and discrimination." It is ironic that I am using what I learned as a Scout to challenge that organization now. The time to discriminate has passed. We cannot tolerate that kind of organization working with young people."

I assume you were referring to Boy Scouts. Is that an accurate quotation?

Mr. PAYZANT. In the context of my strong views about and my belief in the dignity of human beings and my abhorrence for people who discriminate against human beings, the answer is yes. I think—

Senator COATS. Is that why you resigned from the board?

Mr. PAYZANT. Indeed.

Senator COATS. So you stand by the statement that you "cannot tolerate that kind of organization," meaning the Boy Scouts, "working with young people" in your school during hours, but you can tolerate it after hours?

Mr. PAYZANT. It is a different matter, Senator. There is a very important distinction. When children are in compulsory attendance in a public school, the values that the school is responsible for in

terms of nondiscrimination or any other number of things have to be uniformly applied. And I think it is very easy to be a strong advocate of nondiscrimination and a person who is very vigilant in seeing that it doesn't happen without necessarily endorsing or embracing any group that might be protected by that nondiscrimination policy. And I think it is very important to make that kind of distinction.

I may not personally believe in a particular religion of one student or another, but I have to make sure that there is no discrimination of a student or an employee based on their religion. The same thing with sexual orientation, or with race, or with gender.

Senator COATS. But even though your legal counsel said the Learning for Life program conducted by the Boy Scouts did not violate the policy, that there was nothing discriminatory about the program, it is just something that you can't tolerate because you believe that some other aspects of the Boy Scout policy do discriminate, and therefore you did not want the Boy Scouts participating in the Learning for Life program in your schools?

Mr. PAYZANT. No—it is a distinction between accepting the fact that their curriculum and what they did in their practices when they were in the school not discriminating—that was clear. But if the organization has a policy to discriminate which violates the school district policy—which it did after the board adopted the nondiscrimination policy in January of this year—then you have an obligation to be sure that you are not inviting organizations in during the school day that have policies, regardless of what they might be there to do, but that have policies that are in violation of those school board policies. It is an important distinction.

The CHAIRMAN. The Senator's time has expired.

Senator COATS. More than expired. I appreciate the patience of the chairman.

The CHAIRMAN. Senator Gregg.

Senator GREGG. Thank you.

Did you have junior ROTC in your schools, or military recruiters?

Mr. PAYZANT. Yes. We have—we had—I have to keep reminding myself that it is the past tense now, since I am not longer the superintendent in San Diego. San Diego has junior ROTC programs in a number of its high schools.

Senator GREGG. Of course, they have an extensive curriculum, probably much more extensive than the Boy Scouts, and they are an organization that discriminates.

Mr. PAYZANT. The junior ROTC program does not, because that issue was raised, Senator, and it is an important one. It is true that that program requires that you use retired military officers, but the local school district has control over which retired military officers or noncommissioned officers are hired, and there is nothing that would keep the school district from honoring its nondiscrimination policy, or what is now the State of California's legal standard with respect to not discriminating in the employment of any school district person. And that's the distinction.

Senator GREGG. Well, I think that's a fairly tortured response, but this issue is—I mean, it is very obvious this administration doesn't have much use for the Boy Scouts; I think that's pretty

clear from the nominees that have been coming forward, and we'll leave it at that.

I take it you don't—I have read some of your quotes here, and I take it that you don't support choice when it involves private schools. Is that a fair statement of your position?

Mr. PAYZANT. I am a strong advocate of choice within the public schools, but I do not support the use of public tax money in elementary and secondary schools for private, nonpublic schools.

Senator GREGG. That is also the position, I understand, of the administration.

I understand that you have made some statements relative to religious schools that basically said that you don't think the education at religious schools is very good. Is that part of your decision for not going to choice, or is that simply your view of religious schools?

Mr. PAYZANT. I don't believe that I have said that. I have a great deal of respect for schools that are in the independent sector. I think they provide an important role in America, but I don't think you can have it both ways. I don't think you can say that you want to be independent and free of public policy control and then turn around and say I'm going to take your tax money and mine, because with public tax money goes the obligation of public oversight and policy control.

I think there are, like with public schools, outstanding religious schools, outstanding independent schools, mediocre religious schools, mediocre independent and poor religious schools, and poor independent—the complete spectrum in both the public and nonpublic sector.

Senator GREGG. Well, just for the record, I'll submit the statement that was reflected in the Daily Oklahoman in 1982, where you said—and that's a while ago, obviously, and I can understand that you don't recall—that “you don't learn science, history, government through a religious background. It is not effective, in referring to religious school education.”

But I guess the question is why should a wealthy individual be able to choose a private school, but a not wealthy individual not be able to choose a private school. Why should that limitation be put on our society, which is discriminatory?

Mr. PAYZANT. The fundamental premise, I think, behind that question is one that I would argue with. I think the obligation of the public schools is to serve the common good of all of America, every State and every community. We finance those things which are serving the public good with public money, and for people who want to spend their private money to exercise choice in another way, that is very appropriate. But I do not think that it is appropriate policy to take what are already very, very precious public resources and provide those resources to support private institutions that don't have to play by the same rules and meet the same public policy standards that we require of all public institutions that get our tax dollars.

Senator GREGG. You support choice between public schools. But what happens in a rural area where there is only one high school, and you really don't have choice, there is no opportunity for choice?

Mr. PAYZANT. That's true, and probably the same thing would be true that there would not be existence of a private school in those areas, either.

Senator GREGG. I doubt that. But I would suspect that what you are saying is that public school choice is going to be available in urban areas, but to people who live in suburban or rural areas, public school choice will not be available, so no choice will be available.

Mr. PAYZANT. Well, I think that is generally true—

Senator GREGG. Isn't that a discriminatory policy?

Mr. PAYZANT. No, I don't think so, because that is true with a lot of public services. You are not going to have access to the same kind of public hospitals in a rural area that you would have in an urban area. You are not going to have a public transportation system that would be the same in a rural area that you would have in an urban area. There are lots of public schools—

Senator GREGG. The difference, of course, is that schools are mandated, and you are not mandated to use the public transportation or the public hospital.

Is this a correct quote and a correct position, that basically, you instituted a "no credit" approach rather than a failure policy within your school system, so that people no longer got F's and failed, but rather received a designation of "no credit"?

Mr. PAYZANT. Not exactly. There exists in San Diego a dropout prevention roundtable which is made up of some school district people and community people. In their first several years of existence, they focused on dropout prevention issues, and then they expanded their involvement and came forward several years ago with a proposal to eliminate the F grade, not to say that students would be automatically promoted or would be given credit for course work if they didn't meet a standard, but that rather than receive an F, they would be given the opportunity to re-take the course, and when they met the standard, they would get the credit; until they did, they wouldn't. There was a lot of debate around that issue. I supported that task force recommendation. The board decided not to accept it, and they modified the policy so that now the F grade is still given by teachers in San Diego's secondary schools, but a student may re-take a course, and if they get the higher grade, replace on their transcript the higher grade, having met that higher standard.

Senator GREGG. So the report in the San Diego Union was inaccurate when it said that in addition to the F grade being changed to a "no credit" grade, "most elementary students who in the past would have been held back a grade will be promoted automatically. The new policy would mean an inevitable watering-down of academic standards"—that's the commentary in the paper, but the first part about most students who might have been held back otherwise would be promoted automatically, is that an accurate assessment of what the practical impact of this policy was?

Mr. PAYZANT. I can't really tell because I'm not sure of the context. There was a separate issue that dealt with promotion and retention policy in San Diego city schools, and I recommended a promotion and retention policy that would not result in automatic promotion and set out a process that the teacher and parent had to

go through to assess the progress or lack of progress a student is making before the decision is made to promote or retain. And there exists today in San Diego city schools a promotion and retention policy for the elementary years. At the secondary level, whether you move from 7th to 8th grade, or 10th grade, sophomore standing, to junior standing, depends on the number of credits you earn and your grade-point average. That is what determines your movement to the higher grade level designation.

Senator GREGG. In that context of requiring an evaluation of output in determining where students end up, is it your philosophy of education that the Federal role should be controlling curriculum and controlling the input in order to deliver better education, or should we be following a path of testing and evaluation and setting standards that would be attained in allowing individual teachers and schools to determine how they are going to reach those standards?

Mr. PAYZANT. I think that it is proper for the Federal Government to have national goals. I think it is proper—

Senator GREGG. By "goals," do you mean curriculum, or do you mean—

Mr. PAYZANT. No, no. I mean as the national goals that are proposed in "Goals 2000: Educate America." I do not believe the government should be in the business of developing curriculum. That is really a State and local matter. I see no problem with the encouragement as in "Goals 2000," that the States and local school districts develop national standards and content areas and that there are benchmarks that the States and local districts can use against national standards to see how they are doing. I think that it is proper to address the issue of both results and what it is going to take to get them, but that it is the States and the local school districts that ultimately will have the responsibility for the policy decisions to determine what happens in those local schools.

Senator GREGG. So you would support removing the word "shall" from the present goals program and replacing it with "may," so that we don't have 30 pages of telling the States what they must do, but rather having a cooperative effort with the States?

Mr. PAYZANT. Well, Senator, I will confess to you that my recollection of the many pages in that bill is not great at this moment, and I know there are number of points where there were "shalls" and "mays," and I respectfully decline from saying that I am going to agree to a—

Senator GREGG. That was a rhetorical question.

Mr. PAYZANT. Thank you.

The CHAIRMAN. Well, of course, you are right in your answer because all of those are voluntary and none of them are mandatory in any event. So I think you were right in expressing your view.

Of course, I am not going to get into it, but the question of choice was decided by the Senate 57-32. We can whip that issue and keep whipping it, but we have debated it and debated it and re-debated it, and in a sense made a decision on it. I know there are those who differ with where the Senate came out on it, but nonetheless I think those 57 Republicans and Democrats alike would certainly have supported the position that you mentioned earlier here today.

Senator COATS. Mr. Chairman, you wouldn't want us to give up on something we so strongly—

The CHAIRMAN. No, no—I know better than that.

Senator COATS. You are our mentor in that whole regard. [Laughter.] No one has a better track record of persistence of something they believe in than the chairman.

The CHAIRMAN. Well, thank you for that sometime compliment. Let's go on.

I will include in the record the letter from the San Diego Unified PTA of June 28th. It is interesting that we talk about those who agree and differ on different public policy questions, and here is what they say in their final paragraph: "Dr. Payzant's vision of schools where everyone believes that all children can learn, where all teachers are teaching effectively for the individual children in their classrooms, where administrators, staff and parents work collaboratively to create an optimum living and learning environment for the particular students at that school is a vision which our PTA council shares. We think the Nation will benefit from Dr. Payzant's innovative leadership, which moves realistically toward that dream."

That's a pretty strong endorsement from the parents in that area, given all of these matters that you have talked about here, the fact that the average superintendent in major school districts in this country lasts 3 years. You were, I guess, on your 11th year, and had received a new contract in 1992.

[Letter follows:]

SAN DIEGO UNIFIED PTA COUNCIL,  
*San Diego City Schools, June 28, 1993.*

The Honorable Edward M. Kennedy,  
*United States Senate,*

DEAR SENATOR KENNEDY, As president of the San Diego Unified PTA Council, an organization which comprises PTA's with their 26,000 members at 115 schools within San Diego City Schools, I am writing at the behest of the Council Executive Board. All our PTA's are on vacation at this time, so we cannot involve each PTA directly.

The Council Board wishes to express its support of Dr. Thomas Payzant as the nominee for Assistant Secretary of the Department of Education. He has been our superintendent for the past 10½ years, and we have found him to be a strong and responsible leader of our large and diverse urban school district. He has been very aware of the necessity for building solid school-parent and school-community connections, and has been supportive of PTA and of parents as an important and respected component of K-12 education.

Dr. Payzant's vision of schools where everyone believes that all children can learn, where all teachers are teaching effectively for the individual children in their classrooms, and where administrators, staff, and parents work collaboratively to create an optimum living and learning environment for the particular students at that school, is a vision which our PTA Council shares. We think the Nation will benefit from Dr. Payzant's innovative leadership, which moves realistically toward the dream.

We urge you to support his confirmation.

Sincerely,

PATT SLOAN  
*President*

The CHAIRMAN. As I understand, on the issue in terms of organizations like Boy Scouts and other programs, Big Brothers, the Girls Scouts, and 4-H, the largest youth group in the United States, all have antidiscrimination policies that include sexual orientation. Any of those, I would imagine, since they would have complied

with the board provisions, would have been permitted to have their programs during school hours.

Mr. PAYZANT. That is correct, Senator.

The CHAIRMAN. So the major youth organizations which involve the young people in this country would not have been excluded.

Finally, I noticed that when your case was appealed in Oregon, and they decided in your favor. You got reimbursement of legal fees, according to the Oregon statute. Is that correct?

Mr. PAYZANT. Yes.

The CHAIRMAN. Do you remember how much?

Mr. PAYZANT. It was a lot at that time, as I recall, but the whole incident is something I would like to put long behind me.

The CHAIRMAN. I recognize Senator Jeffords. He was here earlier, and I somehow got distracted—and I only have a couple of final questions.

Senator JEFFORDS. I am not going to take any extensive length of time, Mr. Chairman. I just did not want the record to indicate that I did not have matters of concern to me. But more importantly, we had an opportunity to spend almost half an hour together discussing the future of American education and the future of what we must do to better our educational system, and I came away very enthusiastic about being able to work with you. And I think we have had an extensive examination of some of those matters that do trouble some of the members of this body. But I personally want to say that I am looking forward to working with you, and hopefully we can work together to do what needs to be done to improve the quality of education in this country.

So with that, Mr. Chairman, I end my dissertation.

Mr. PAYZANT. Thank you, Senator.

The CHAIRMAN. Thank you, Senator Jeffords.

Finally, just a couple questions on improving teaching in our schools. Have you some recommendation on Chapter I? Title I? Would you like to talk about that for a few moments? That is going to be enormously important, involving some \$6.5 billion. It has been in existence nearly 30 years and we haven't really given it the kind of hard review that I think all of us hope we can this time, working with the administration.

If you'd like to just very briefly make some comments on that at this time, we would welcome them.

Mr. PAYZANT. I think it is almost an unprecedented opportunity to take a look at what has been historically one of the major, if not the major, Federal education program to provide supplemental support for the neediest young people in America. And my hope is that we will be able to present to the Congress a reauthorization package that will, as I indicated earlier, move us away from looking at separate programs that are unconnected and present a reauthorization package that brings a real focus so that all of the children served will be able to attain high standards that we have traditionally expected only a few to meet.

I hope that we can move to a program that will focus more on improvement of teaching and learning, the results, with children. I hope that we will be able to look more at ways to be creative about adding extra time through extended day, Saturday, summer

programs, and not removing children from the regular teaching experience that is so valuable for them to have during the school day.

I am hopeful that we can move from a rules and compliance-driven kind of effort to one that has more flexibility and focuses on schoolwide projects in local communities.

I hope the issue of bringing some effort to integrating services for children will be a part of it. I hope that we will be able to make good connections from Head Start to early childhood to elementary programs; the school-to-work transition in the high schools. There are lots of ideas, and I think it is going to be, hopefully, a bold and very innovative package that we bring forward to the Congress.

The CHAIRMAN. Well, you have obviously thought about this deeply, and I think you are going to find a lot of support.

Finally—and you can either comment or not—I think there is a general sense—in terms of funding education—of frustration generally across the country, both in the States and here, I think. The committee is going to do some review of that issue in a general way during the course of this session of the Congress. We know there are a lot of constitutional challenges in the different States on this issue.

I don't know whether you have given this much thought. It is a rather controversial issue, but you have been doing well in terms of responding to tough questions. Just conceptually, can we continue to rely on property taxes when you have enormous changes in communities and the economy, and where you see some very dramatic dislocations, such as with the base closings. A lot of different communities are going to be particularly hardhit, and the tax base will go down, and the kids are going to take the heat on this—and at a time when there is generally a cutting back in terms of support for education in many different communities.

Do you have any broad thoughts about how we ought to be proceeding on some of those issues?

Mr. PAYZANT. That is a very complex question to try to respond to in a minute-and-a-half, but let me try to at least make a beginning.

As you know, I was born in Boston and grew up in Massachusetts, so I know what Massachusetts is going through. And in my recent 10 years in California, unfortunately, the last three budget cycles there have been the worst that I have experienced in my 24 years as a superintendent in four different States. I am firmly convinced that Proposition 13 in California, that capped the use of property taxes, was what led to the beginning of a long period of slide for California in what it was able to do to support education for children. And I can't speak from the perspective of California anymore because if I am confirmed, I'll have to worry about 50 States, but to have California slip from being in the top 10 or 15 States in the ability to provide support for students to down in the bottom quartile in the space of 10 or 12 years is extraordinary.

As long as we have a system, Senator, that relies on the States to provide the basic resources for education, I think the Federal Government has got to focus on providing as much help in terms of technical assistance, research, the best knowledge that we can bring together, to help the States figure out at least how to equalize expenditures within the States so that you don't get a situation



that, based on where a child lives in one community, decides what kind of opportunity that child is going to have because there is too heavy a reliance on the property tax.

So working from the Federal Government to help give the States assistance on how to best come up with equalization plans within the States I think would be an important starting point.

The CHAIRMAN. We look forward to working with you on that. Even in Massachusetts, which is the State where public education really started, we are down in about the bottom third in terms of State support for local schools. We have a proposal now that will move us up to about 45 percent. You have Alaska at 95 percent for rather different reasons. But we ought to be thinking in terms of overall, national policy. I think we in this committee been focusing on some of these issues that are also enormously important in terms of elementary and secondary education, such as the "Goals 2000 bill," skills, school-to-work, all of which the administration and the President have been committed to, but there are these broader issues as well that we must give attention to.

Senator Jeffords.

Senator JEFFORDS. Just let me add to that that I agree that we have serious problems, obviously, with the local funding of education as well as State funding, and it seems to me that the demands on education beyond the normal curricula aspects are requiring more and more resources. And it seems to me the Federal Government must look at the opportunity, hopeful opportunity, to be able to fund many of these things which are important but not curricula-centered, so that we can provide money that will free the States up to do those things which are essential for the curricula rather than all the peripheral things. And when I say "peripheral things," I am talking about some of the things you mentioned, and that is after-school time and filling up the many hours that young people have available which should be more productive than presently. We have got to provide those resources in early education, as well as nutrition, and all these matters which will make the learning experience more valuable.

I know there are people on my side of the aisle who are nervous about expanding the Federal role in education, but it seems to me that we started this back during President Nixon's administration, when we had revenue-sharing. One of primary objectives of that was to free up money for education. We abandoned that program, and I think that was a mistake. I think we should have dedicated it to those education resources.

So I believe very strongly that we have to move to a higher priority funding education in this country. Right now, less than 2 percent of our Federal budget is spent on education, and yet if it is the top priority in the country, it seems to me that this is maybe the first time we've had in 50-odd years that we should be reevaluating national priorities. And I understand all the deficit problems and so on, but I know that the other side of the aisle is on their way to correcting all those problems and that they are going to be solved next week. So hopefully we can then start redirecting our resources.

Thank you, Mr. Chairman.

The CHAIRMAN. Let me just mention one final point on some national service issues. In the President's national service program, there is a K through 12 program which I am particularly interested in that would ensure that we are going to start volunteerism in kindergarten and encourage it all the way through college. We also need to try to attract the younger students who may have dropped out of school, as we have seen in City Year in Boston and other places. Then there is the concept of volunteerism based on income-contingent repayments, and other kinds of issues. We also have other voluntary programs that have continued, Older Americans, and the rest.

But K through 12 is enormously important. We've got very a very interesting program in Springfield, MA where the kindergarten children fold napkins and make centerpieces for the homeless and for the feeding stations; 4th graders adopt persons in nursing homes and call them once a day for 5 minutes, visit them on Valentine's Day and their birthday. Sixth graders go and do pantomimes. The only investment, really, was getting someone in the school to help plug the children into the nursing homes. They do races between the "tortoise and the hare," and so on, and it's just an enormous success. Also in Springfield, 8th through 12th graders go out, under supervision, and work with children in day care until their parents come, working with them in supplementary ways such as reading, and writing books, and the kids generally go for those books rather than the others. In some school districts, like Maryland where my niece Kathleen is enormously involved, they actually have service as a part of the regular curriculum, so it isn't just service outside of the general concepts of education. It is a very interesting proposal.

We are not suggesting under the President's program, that service be mandatory, but 40 million children, for a very limited amount of resources, can really be involved—the parents, businesses, elderly people—in bringing those communities together and getting them moving along in terms of volunteerism.

Sometime I'd like to have you get a look at that program, and I think you'll find that for very, very small resources, in a very exciting way, we can involve an awful lot of young and old.

I would mention just parenthetically that I visited with Dr. Fernandez down in Dade County. He had 25,000 retired senior citizens in that school district, and he floated an \$850 million bond and got 62 percent of people over 65 to vote for it. He got those seniors to work in photography, in painting, in drama and the arts. There were a lot of gifted and talented retired people who were delighted to come in and work in the schools. That freed up additional salaries for other teachers and it also increased teacher applications. They went from a choice of teachers from one out of two teachers for Dade county to one out of seven. So it improved the teacher level as well as continuing training.

I'll just mention one other program in Dade County. Twenty-two different private businesses down there brought in K through 4th grades right into their businesses. The only thing the taxpayer provided was the teacher and the books. The impact that had on the private sector was dramatic. Employees showed up on time. At lunchtime, they'd go down and have lunch with the children and

teachers, so people were showing up in good shape for the afternoon's work. The turnover rate went from 11 percent to 4 percent, and it cost \$25,000 to American Bankers Company, the one I visited, to train a person. They went from 11 percent to 4 percent and paid for their building in 1 year. I guess they do it at the airport down there—you might have seen it.

Mr. PAYZANT. Yes, Senator.

The CHAIRMAN. There are a lot of things that people want, and they are strongly committed to education, and they know we have scarce resources. One of the exciting things is that Secretary Riley and the President are strongly committed, and certainly you have been enormously creative and imaginative in trying to find some ways to really get communities turned on, businesses turned on, teachers and students.

Well, we'll have a lot of fun later on. We thank you very much. I'll say I am looking forward to supporting you on the floor of the Senate, and hopefully we'll do that in very early order.

Mr. PAYZANT. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

[Additional material submitted for the record follows:]

Testimony of Kay Davis  
Senate Committee on Labor and Human Resources  
Washington, D.C.

July 1, 1993

Mr. Chairman and members of the committee, my name is Kay Davis. I am the executive director of the Business Roundtable for Education of the Greater San Diego Chamber of Commerce. I am here to speak in favor of the confirmation of Dr. Thomas Payzant to be the assistant secretary for elementary and secondary education.

I have known and respected Tom Payzant for over ten years. I had the privilege of serving on the board of the San Diego City School District from 1981 to 1990. I was vice president of the board when Dr. Payzant was appointed to the superintendency in 1982. I have worked closely with him since then as a board member, as president of the board for three one-year terms, and in my present position as executive director of the business roundtable.

I have had the opportunity to see his leadership skills close up and on a day-to-day basis. It was clear from the beginning that Tom Payzant is an extraordinary leader with a unswerving commitment to public education. I have found him to be a principled, creative, and extremely talented man. In his ten years as superintendent, he brought great change and continuous improvement to the school district. It is not possible to detail all of his many contributions here, but I will highlight some of them.

San Diego is a large, diverse urban center. It is growing, and the racial and ethnic diversity continues to shift. When Tom became superintendent, the district was under a court-mandated voluntary integration plan that had met with much resistance in the community. He was able to bring about a complete transformation in the district's approach to integration and the community's acceptance of it.

The district now has a popular and growing voluntary integration program. Direct court supervision was dropped in 1985. Tom brought these changes about through his remarkable ability to accommodate differing points of view and build consensus, and because of his strong commitment to equity and his belief that our diversity is our greatest strength.

Tom has greatly improved parent and public participation in the San Diego City Schools. He initiated a restructuring program that has moved much of the decision-making responsibility to the school level where teachers, administrators, and parents engage in shared decision making.

Under Tom's leadership, the district's Partnerships in Education program has grown to be one of the most successful in the nation. Over 400 local companies and organizations have formal partnerships with district schools.

Tom was one of the people instrumental in the development of our Business Roundtable for education. He participated in the early

discussions of it with chamber members and urged them to consider its possibilities. Now, over 45 top management executives are members of the roundtable. We study educational issues and are advocates for local, state, and national educational reform legislation.

As I have said, the list of Tom Payzant's contributions is long. In San Diego he reduced the central administration by over 30 percent while the district enrollment increased by 15,000 students. He has cut the district budget by \$55 million in the last three years. Because of population shifts, he successfully closed 17 schools, made use of undercover drug agents on high school campuses, and used expanded valid criteria to include more minorities in the highly regarded gifted and talented program. He introduced a common core curriculum for high school students, implemented a 2.0 GPA (grade point average) in academics and citizenship to participate in any extracurricular activities, and he raised graduation requirements. Dropout rates have decreased and test scores have risen.

Tom Payzant would bring outstanding skills and years of successful experience in a major urban school district to the Office of Education. I would hope that after testimonies today and getting all your questions answered, you would confirm Tom--then get out of the way and let him get to work. Long after you've forgotten about Tom, I can guarantee you he will be diligently working 10-15 hours a day, six to seven days a week to make K-12 education work better for students, especially urban students. I strongly urge you to confirm his nomination.



**HARVARD UNIVERSITY**  
Graduate School of Education

Monroe C. Gutman Library, Appian Way  
Cambridge, Massachusetts 02138-3704

Programs in Administration,  
Planning, and Social Policy

**Testimony of Harold Howe II on July 1, 1993 at a hearing before The Senate Committee on Labor and Human Resources to consider the nomination of Thomas Payzant as Assistant Secretary of Education. The Honorable Edward M. Kennedy, Chairman.**

Mr. Chairman: I am grateful for the opportunity to testify at the hearing on the nomination of Dr. Thomas W. Payzant for Assistant Secretary of Education. My view of this nomination is that the Secretary of Education and the President would have great difficulty finding a candidate better fitted than Dr. Payzant to carry responsibility for the federal government's role in supporting and improving elementary and secondary schools in the United States.

Tom Payzant is a person I have come to know and trust through direct personal contact as well as through acquaintance with his many achievements, which are outlined in the materials this committee has received. In 1992 I served as a member of a Board of Judges to select three American educators for an award for their contributions to American education. From a list of hundreds of nominees, Tom Payzant was selected as a winner of a Harold W. McGraw Jr. prize of \$25,000. This honor was in recognition of the nature and quality of his work on behalf of children and youth in San Diego, California. Here is the citation that accompanied that award:

As superintendent of San Diego City Schools, Thomas W. Payzant runs America's eighth-largest urban system and one of its most ethnically diverse. Students speak more than 60 different native languages. One in ten requires special education courses and many come from disadvantaged families.

For a decade, Dr. Payzant has met the needs of San Diego students, parents and teachers while coping with increasingly difficult budgetary demands. He instituted a rigorous college-preparatory curriculum, helped schools take on a larger role in their governance and strengthened the district's commitment to raising the scholastic achievement of all children. He was instrumental in initiating a program linking schools directly with public agencies that provide services for students and their families.

National school reform requires vision, innovation and superintendents like Dr. Payzant who focus on better use of resources and forge workable coalitions.

You may be interested in knowing the names of the other judges who joined me in selecting Dr. Payzant for this honor:

- \* Ernest L. Boyer - Former U.S. Commissioner of Education
- \* Joseph L. Dionne - Chairman and Chief Executive Officer, McGraw-Hill, Inc.
- \* Hanna Holborn Gray - President, The University of Chicago
- \* Fred Hechinger - Senior Advisor, Carnegie Corporation of New York
- \* Dan Lacy - Former Senior Vice President, McGraw-Hill, Inc.
- \* William J. McGill - President Emeritus, Columbia University

- \* Robert P. McGraw - Executive Vice President, McGraw-Hill Professional Publishing Group
- \* Alan Pifer - Former President, Carnegie Corporation of New York
- \* Lois Dickson Rice - Guest Scholar, The Brookings Institution, Former Vice President of The College Board
- \* P. Michael Timpane - President, Teachers College, Columbia University

You should know, also that in 1989, this same award was presented to Governor Richard Riley of South Carolina, who was cited for his creative leadership of educational improvement in that state. As you are well aware, Governor Riley now has become Secretary of Education in President Clinton's Cabinet.

In the late 1980s, the Harvard Graduate School of Education decided to upgrade its program for preparing school superintendents. I was an active member of the faculty committee that worked on this project. We sought advice from a carefully chosen group of school superintendents in major cities of the U.S.A. One member of that advisory group was Thomas Payzant. His capacity for clear thinking and effective expression when allied with his extended experience as a city school superintendent clearly made him an invaluable contributor to launching the new effort at Harvard. He has continued to advise us and deserves recognition for the success of the new program.

In a recent study sponsored by the William T. Grant Foundation in New York, I chaired a Commission that focussed on the needs and problems of young Americans who don't go to college. One of the examples we used in our final report, entitled The Forgotten Half, was a project in San Diego called New Beginnings. It was and is today an effort to coordinate the work of the many agencies that serve children and youth to increase their efficiency and to improve the services young people get.

Superintendent Thomas Payzant was a major leader in developing this new and very difficult initiative . You may recall that I testified before this committee a year ago as it considered legislation to encourage activities like New Beginnings in San Diego.

If President Bill Clinton and Secretary Richard Riley had asked me last fall after the election who was the best possible candidate for the Assistant Secretaryship for Elementary and Secondary Education, the first name that I would have given them would have been Thomas Payzant.

My reasons for that view are the following:

- \* I know from direct contact with him that he is a person of absolute integrity.
- \* His knowledge and experience with our country's most difficult education problems is wide ranging and well integrated with an understanding of what research has to say about those problems.
- \* He is a capable administrator who chooses skilled people to work for him and makes good use of their talents.
- \* He has a broad understanding of the complexities of American society and how they must be part and parcel of thinking about our schools.

Every big city school superintendent in this country is continually confronted with difficult and contentious issues that must be resolved. In making decisions about such issues, school leaders inevitably awaken criticism and opposition by some portion of the multiple constituencies they serve. Because of this aspect of a school superintendent's work, there has been a rapidly growing turnover in that job. But Tom Payzant has been an exception to this damaging destruction of capable leadership.



Among the big cities of the United States his term of office has been longer than any other similarly placed official. He has been willing to listen to criticism and willing to reconsider issues. At the same time he has been consistent in sticking with necessary unpopular decisions when they were right. This combined openness and moral conviction that have characterized Tom Payzant's work in San Diego are the qualities needed in the new position for which he has now been nominated. In considering him for that position any critics of his past performance have every right to seek information on matters of concern to them. But any effort to parlay such issues into a valid reason for voting against his appointment will be a set back for all the children in the United States.

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**Statement of  
THE NATIONAL PTA  
and  
THE OKLAHOMA STATE CHAMBER OF COMMERCE AND INDUSTRY**

Good afternoon, Mr. Chairman and Members of the Senate Committee on Labor and Human Resources. I am Karen Leveridge, past President of the Oklahoma State PTA. I represent Pat S. Henry, President of the National PTA, a non-profit association comprising nearly 7 million parents, teachers and child advocates in the United States and the District of Columbia in addition to Department of Defense Schools in Europe and the Pacific. Mrs. Henry regrets her absence this afternoon, but she is obligated in presiding over the National PTA's annual convention in Cincinnati, Ohio. This testimony is being submitted jointly with the Oklahoma State Chamber of Commerce for which I am the Education Director. I knew Dr. Payzant, both as a parent and PTA leader during his tenure as superintendent in Oklahoma City, and recommended Dr. Payzant highly during an interview with San Diego school board members prior to his move there more than a decade ago. In addition, the Oklahoma Chamber of Commerce recognizes his positive working relationship with business and industry, well before public/private partnerships became vogue.

One of the three missions of the National PTA is to 'support and speak out on behalf of children and youth in the schools, in the community, and before governmental agencies and other organizations that make decisions affecting children.' Today, the National PTA is speaking out in support of Thomas L. Payzant, nominee for Assistant Secretary for Elementary and Secondary Education at the U.S. Department of Education. Based on his background, training, experience and intellect, Thomas L. Payzant has the extraordinary executive capabilities to lead the nation's elementary and secondary schools in directions that will prepare our children for the 21st Century, while recognizing the fundamental right of parents and the community to be involved in educational decision-making.

After the nomination of Secretary of Education Richard Riley, the National PTA joined two other organizations, the Council of The Great City Schools and the National Association of State Boards of Education, in recommending to then-Secretary-nominee Riley, general criteria for the selection of the undersecretary and the assistant secretaries. We requested that nominees possess experience as local school district leaders with demonstrated ability to involve parents and the community in educational decision-making. In addition, we asked that nominees come from urban areas with large minority populations who could be sensitive to the needs of children growing up in communities with diverse cultures, value systems, religions and family structures. This kind of nominee would be critical for those of us who believe that national educational policy cannot be top-down, and to balance off those appointments at the Education Department which bring little experience as local level education practitioners. We believe that national education policy is made more responsive to the needs of the child when the Assistant Secretary has had hands-on experiences related to such issues as cutting school budgets, building community consensus, assuring equal access and non-discrimination, negotiating teacher master agreements, complying with federal/state/local rules and regulations, tending to the needs of an ever increasing disadvantaged and bilingual populations, and securing and fostering parental involvement. Thomas L. Payzant meets these criteria and the National PTA believes that his nomination provides a balance and

equilibrium to an Education Department that is otherwise state-level oriented and researcher-dominated in many of its top level positions.

We support Dr. Payzant's nomination on four grounds:

- o Breadth of experience and knowledge of public education issues
- o Involvement of parents/families in educational decision-making, and respect and tolerance of various community opinions and viewpoints
- o Understanding of how to develop interagency systems to meet the individual educational, health and developmental needs of children
- o Ability to represent the needs of children, parents and community before Congress, the agencies and within the Department of Education, enhancing local action through federal policy

Dr. Payzant has vast experience as an educational and instructional leader. Coming to the federal government with superintendencies in Eugene, Oregon, Oklahoma City, Oklahoma, and most recently in San Diego, California, Dr. Payzant brings the common-sense approach to policymaking and policy execution that is so often lacking in the federal agencies. Recognized as one of the top urban superintendents in the country, he had one the longest running tenures while serving in San Diego. This is a tribute to his understanding of large, complex systems, and his ability to build support and coalitions within the community. His educational expertise is without equal. He has mastered almost every facet of the public education system including instructional development, authentic accountability models and assessments, teacher and other personnel management, budgeting and school finance equity, educational technology and resources, community consensus building, transportation, working with school boards and other community governance structures, and general site and building management. But this should not suggest that Dr. Payzant has been comfortable with the status quo. He has been interested in school improvement virtually his entire life, and school restructuring has been a professional preoccupation of his entire career. He has never been an apologist for the public schools, but has never abandoned an institution that has held the

sole hope for many children. He knows that there is no single, quick-fix solution to school change, but that change comes slowly, and over a period of time. He has been willing to stay the public education course, and he can be expected to do the same at the Department of Education.

One of Dr. Payzant's outstanding attributes is his belief in parental and community involvement. While there are many policymakers who employ parental involvement as partisan rhetoric without further commitment, Dr. Payzant has a proven record of involving parents and the community in the education of their children. While PTAs in San Diego have not always agreed with Dr. Payzant's viewpoints, and Dr. Payzant did not always agree with PTA's viewpoints, PTAs understand that in the public arena, not everyone can prevail all of the time. However, Dr. Payzant engaged parents as partners in the educational process, encouraged an active collaboration between the home and the school, and developed parenting skills programs and other family supports which fostered children's learning. He also made special efforts to meet the needs of minority parents and families in their home-language, and encouraged an environment of understanding in a school district that saw a tremendous increase of non-English speaking and disadvantaged children. You could say that Dr. Payzant was one of the leadership forces, the glue, that held an ever diverse school district from coming apart at the philosophical seams. He believed that no one single special interest group, no one religion, no one PTA, should dominate education policy or arbitrarily impose their values on everyone else, but he emphasized the importance of tolerance and respect for various opinions. He urged inclusion and access as compelling values for providing a public educational system, and that everyone should have the right to participate in the democratic process of educational decision-making. He believed that a diverse community is a necessary condition for maintaining a common school.

For many years, the National PTA has advocated on behalf of the whole child. Such concerns as a quality education, parental involvement, public education funding for public schools only, nutrition, immunization and other preventative health related services, environmental protection, child safety and protection, school safety, and improved TV programming for children and families, are just a few interrelated issues that PTAs around

the country support. In the past, many of these issues have been solely family and home issues, but a changing family has required that schools take on additional responsibilities. As an organization, we are members of Dr. Ernest Boyer's Ready to Learn Council; the Institute for Educational Leadership's Education-Health Consortium; and the American Academy of Pediatrics Children First Coalition--all designed to encourage cooperation between the various child-serving agencies, the school and the home. Dr. Payzant has been adept at working with other agencies in the community to integrate education with other services. Not only does this more effectively meet the needs of the child and family, but also provides basic services that enhance learning and teaching. This approach often helps teachers by relieving them from having to play so many roles. Integrating education and related services is also a cost-effective means of coordinating community institutions, and consolidating services at single locations to assist parents and families in securing services more easily for their children. Dr. Payzant has made many of his schools community serving institutions, and that concept will be the focus of the Elementary and Secondary Education Act (ESEA) reauthorization, in addition to special education programs including toddler care and preschool.

It isn't often since its inception that the U.S. Department of Education has selected an education official with Dr. Payzant's vast experience at the local school district level, coupled with an understanding of the federal agency apparatus, with Dr. Terrell Bell, Jack McDonald and Thomas Mentor being the exceptions. The National PTA has been as skeptical as many that a federal Department of Education would exceed its chartered authority, and begin exercising undue influence with heavy-handed, top-down directives imposed on local school district programs and curriculum. On the other hand, a Department of Education designed to assist local school districts in their efforts to improve and change can be an invaluable tool. That is precisely why Dr. Payzant is an excellent candidate for this position. He can represent the needs of parents in the local communities when discussions of policy occur, and assure that top-down, involuntary initiatives, which do not respect the decision-making structures of the local school districts, are bound to fail. As an arbiter of such policy dichotomies (and they are

occurring even as we are holding this hearing), Dr. Payzant has experienced both the frustration of the federal bureaucracy when it impedes innovation and change. He also knows that such fundamental issues as equal access, Title VI, Title IX, and Section 504 have actually been assurances that ALL children are guaranteed an equal educational opportunity. While the federal government is not always a good deliverer of services, Dr. Payzant knows that it is an effective protector of children's rights to receive equal educational opportunity.

We understand that Dr. Payzant made decisions during his career that were controversial, and were not supported by all. But twelve years as an urban superintendent, in a school district that by its very composition must be controversial, suggests that Dr. Payzant did not allow the controversy to dominate the basic support he needed to lead. It is not possible for anyone who cares about children to avoid the debates of the era: educational vouchers, school-health related services, HIV-AIDS preventative education, or family life curriculum. Our argument is not with those who oppose Dr. Payzant's nomination. We all have every right to petition our government and voice our opinions, and I respect that right. However, I would like to assure the members of this Committee that there are few people in the educational arena that are more knowledgeable, more accessible, more intelligent and more understanding of children, public education, parental involvement and the democratic process than is Dr. Thomas L. Payzant. I urge this Committee to report favorably on this nominee and recommend his confirmation to the full Senate. I thank you for the invitation to testify.

**The Oklahoma State Chamber of Commerce & Industry**

presents this additional testimony on behalf of Dr. Thomas L. Payzant  
 Nominee for Assistant Secretary, U.S. Department of Education

The Oklahoma State Chamber of Commerce & Industry is a leader among chambers evidenced by their active and involved support for public education. The dynamic group of leaders serving as members of our Education/Business Coalition, chosen because of their vast successes in the education, business and industry arenas, have given their wholehearted endorsement to the confirmation of Dr. Thomas Payzant. Those same leaders clearly believe that

the United States Department of Education needs senior staff of the quality of Dr. Payzant. Seldom, if ever, has a public official made such a dynamic and lasting impression during a short, three-year term as superintendent of an urban school district as did Tom Payzant during his tenure as superintendent of the Oklahoma City Public Schools. His departure in 1982 to accept the superintendency of the San Diego City Schools was viewed not only as a dramatic loss to Oklahoma City, but to the entire state as well.

While serving as superintendent of the Oklahoma City Schools, Dr. Payzant dealt professionally and successfully with controversy, tragedy and challenge. His leadership evidenced throughout the days and weeks following the tragic and deadly explosion at Star Elementary School in 1982, his tremendous success in dealing with Oklahoma's first-ever teachers' strike soon after his arrival in our state and his widely acclaimed accomplishment of successfully coalescing a community severely divided following the implementation of a massive desegregation plan mandated by the federal courts are well recognized throughout our state and beyond. Under his steady, professional guidance, the business community and its leaders began to once again be actively involved in the well being of the schools and that dynamic result is evidenced even today. The respect for his exemplary leadership continues as those who worked with him remember his dedicated involvement in the state.

The needs of the children are ever in the forefront of Thomas Payzant's thoughts and actions and he is willing to go to great lengths to ensure that they are receiving the quality of education necessary to achieve success in the twenty-first century. No other educator could be more dedicated to the needs of children and youth - clearly illustrated by his continued volunteer work with children in the classrooms.

Tom Payzant is a man of high ethical standards who places great importance on family values. His wife, Ellen, is an involved, caring member of any community in which they reside, and, as a couple they have raised three children who are now providing their own unselfish and caring contributions to our world.

The Oklahoma State Chamber of Commerce & Industry joins with the National PTA in strongly urging this committee to recommend the confirmation of Thomas L. Payzant to the full Senate.

Thank you for this opportunity to testify.

**COUNCIL OF CHIEF STATE SCHOOL OFFICERS**

One Massachusetts Avenue, NW, Suite 700, Washington, DC 20001-1431 • 202-408-5505 • FAX 202 408-8072  
Resource Center on Educational Equity State Education Assessment Center

June 29, 1993

The Honorable Edward M. Kennedy  
Chairman  
Committee on Labor and Human Resources  
U.S. Senate  
Washington, D.C. 20510

Dear Chairman Kennedy:

The content of this letter is intended to be submitted as written testimony in support of the confirmation by the United States Senate of President Clinton's nomination of Thomas W. Payzant to the position of Assistant Secretary in the Office of Elementary and Secondary Education (OESE) in the United States Department of Education.

Having served the previous administration as Assistant Secretary of OESE I was concerned that my successor would be a recognized and experienced educator. Consequently, I was extremely pleased when Dr. Payzant's nomination was announced. In fact, I have heard the same sentiment echoed by many of my colleagues in the field.

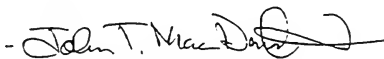
Tom Payzant has an excellent reputation as a knowledgeable and competent school leader. Such leadership capability would be a boon to the United States Department of Education at this time when the nation must not only coalesce its talents and energies to provide for the systemic reform of our schools through the Goals 2000 legislation, but also see much of the resource leverage they will require be the subject of the forthcoming reauthorization of Elementary and Secondary Education programs.

The Office of Elementary and Secondary Education provides the largest single source of federal revenue that directly supports local and state instructional services for all children. As an educator, Tom Payzant will bring to the Department of Education a practitioner's experience and vision on how programs can be shaped and delivered to augment state and local initiatives. His experience and vision should be available to the Department as soon as possible to assure the success of initiatives such as Goals 2000 and Reauthorization of the Hawkins Stafford Amendments of 1988.

If there are any questions or any other assistance I may render on the appointment of Tom Payzant, please ask.

Thank you,

Sincerely,



John T. MacDonald, Ph.D.  
Coordinator, State Leadership Project



Donald M. Stewart  
President  
The College Board

Mr. Chairman and members of the Committee, my name is Donald M. Stewart and I am President of the College Board, a national education association of 2900 schools, school systems, colleges, universities and higher education systems. I am here today to support wholeheartedly the nomination of Thomas Payzant to the position of Assistant Secretary of Elementary and Secondary Education in the Department of Education.

Several weeks ago this Committee approved legislation - Goals 2000, Educate America Act -- that will serve as a catalytic force to move this country ahead in the achievement of its agreed upon national education goals. Soon you will consider the reauthorization of the Elementary and Secondary Education Act. With both legislative initiatives taking place a decade after the publication of a Nation at Risk, we are still facing a crisis situation in our schools. If we are to eliminate the problems and become a nation secure on the path of educational achievement and economic strength, we must look to those educators who have succeeded. As first a teacher and then as a superintendent in Eugene, Oregon; Oklahoma City, Oklahoma; and most recently, San Diego, California, Tom Payzant has provided exemplary educational leadership. He would provide outstanding leadership and support for the nation's educational aspirations in the position of Assistant Secretary of Elementary and Secondary Education as well.

In considering this nomination, I urge the members of this Committee to review Dr. Payzant's strong involvement in national education issues and his many contributions as an urban school superintendent. In both the national and local arenas, he has demonstrated a steady and unwavering commitment to improve the learning and the teaching of all students. It is on his impressive record of accomplishment and achievement as an educator that I urge you to make your decision. On that basis, and only on that basis, should this Committee and this Congress vote on his nomination. To allow yourselves to be influenced by the loud voices of an outspoken minority sends a signal to the nation that a record of achievement and accomplishment does not matter when it comes to selecting the individual responsible for the formulation of federal elementary and secondary education policy.

I have come to know Dr. Payzant well as a member of the College Board's Board of Trustees, to which he was first elected in 1989 and then elected as Vice Chair in 1992. During his tenure, he has demonstrated his outstanding leadership skills and his comprehensive knowledge of the field of education. His contributions to the College Board have been outstanding and he has consistently brought to our discussions the broad perspectives and keen insights of an urban superintendent with an exemplary commitment to high standards of educational excellence and equity. Throughout our relationship, he has demonstrated a thoughtful and knowledgeable commitment to key educational issues confronting the members of the College Board -- developing new forms of assessment, strengthening school curricula and improving the educational performance of all students. In his service as a Trustee, Dr. Payzant has earned the respect of all with whom he has worked at the College Board. I admire his extraordinary ability, dedication and his commitment to principles of fairness and high quality.

His contributions to the nation's educational reform efforts extend well beyond the College Board. They include, for example, his chairmanship of the Research Policy Committee of the Council of Great City Schools and the Board of Directors, Council for Basic Education; his membership on the Advisory Panel, Urban Superintendents Program, Harvard Graduate School of Education; and on the National Board of Professional Teaching Standards. His service on these numerous boards and councils, both present and past, has made him one of the most active and visible leaders of American education. In 1992, he was one of three winners of the Harold W. McGraw Prize in Education awarded to those who "have made a difference in education." In granting him the award, McGraw Hill noted that "national school reform requires vision, innovation and superintendents like Dr. Payzant who focus on better use of resources and forge workable coalitions."

Tom Payzant has made a difference in the education of students in San Diego for over 10 years. He cares deeply about the well-being of children. He has shown that a vast and complex school system can be transformed successfully. The challenges of changing the nation's eighth largest urban system and one of the most ethnically diverse are indeed daunting -- his students speak more than 60 different languages, one in ten requires special education and many come from economically disadvantaged homes. Yet, Tom Payzant has demonstrated that the diversity of that school system can be its strength. He has met the needs of these students, their parents and teachers, despite continued budgetary constraints. And he has done so, not by diluting educational content or lowering expectations, but by instituting a rigorous college preparatory curriculum, by requiring all high school graduates to achieve proficiency in core subjects, by raising graduation requirements, by helping schools assume a larger role in their governance -- but most of all -- by strengthening the commitment to raise the scholastic achievement of all -- not just a select few -- children in San Diego. Despite many financial problems, San Diego schools have emerged as one our country's top performing urban systems. This is thanks to Tom Payzant's leadership.

For these reasons, I urge you to support his nomination. If we as a nation are to achieve our educational goals, we must enlist those with demonstrated abilities to improve the teaching and learning of all students. Not to approve the nomination of Tom Payzant as Assistant Secretary for Elementary and Secondary Education would be a disservice to American students, their parents, their teachers and their communities. We must move from being a nation educationally at risk to a nation educationally secure. I urge you to act on this nomination quickly so that Dr. Payzant may get on with addressing the urgent educational needs of this country -- to delay would only hurt America's school children. That is a delay that we as a nation can ill afford. Thank you.

LYNN SCHENK  
49TH DISTRICT  
CALIFORNIA

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THURSDAY, JULY 1, 1993

INTRODUCTION OF DR. THOMAS PAYZANT  
TO SENATE COMMITTEE ON LABOR AND HUMAN RESOURCES

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, I AM PROUD TO  
INTRODUCE MY FRIEND, DR. THOMAS PAYZANT, PRESIDENT CLINTON'S  
NOMINEE FOR ASSISTANT SECRETARY OF ELEMENTARY AND SECONDARY  
EDUCATION.

MY HUSBAND AND I HAVE HAD THE PLEASURE OF KNOWING AND WORKING WITH TOM FOR 11 YEARS. DR. PAYZANT HAS SERVED AS SUPERINTENDENT OF SAN DIEGO CITY SCHOOLS FOR THE PAST 10 1/2 YEARS, HAVING HIS CONTRACT EXTENDED BY UNANIMOUS VOTE FOUR CONSECUTIVE TIMES BY OUR ELECTED SCHOOL BOARD. BY ALL INDICATIONS, INCLUDING NEARLY 100 LETTERS OF SUPPORT FROM SAN DIEGO, HE COULD SERVE OUR COMMUNITY WELL INTO THE 21ST CENTURY IF HE CHOSE TO DO SO.

[I ALSO WANT TO MENTION MY ADMIRATION FOR ELLEN PAYZANT, TOM'S WIFE, FOR HER VALUABLE CONTRIBUTIONS TO OUR COMMUNITY. ELLEN SERVED SAN DIEGO IN MANY CAPACITIES, PERHAPS MOST NOTABLY AS A LEADER IN GANG PREVENTION PROGRAMS. AGAIN, SAN DIEGO'S LOSS IS THE NATION'S GAIN.]

DURING HIS TENURE AS SUPERINTENDENT,

- DROP-OUT RATES DECREASED, WHILE STUDENT ACHIEVEMENT INCREASED;
- THE SUBSTANTIAL GAP IN ACHIEVEMENT THAT EXISTED BETWEEN RACIAL AND ETHNIC GROUPS BEGAN TO CLOSE;
- ENDURING PARTNERSHIPS WERE FORGED BETWEEN SAN DIEGO SCHOOLS AND HUNDREDS OF LOCAL AND NATIONAL BUSINESSES;
- A RIGOROUS CORE CURRICULUM WAS SUCCESSFULLY IMPLEMENTED;
- THE CONTENTIOUS RELATIONSHIP BETWEEN THE TEACHERS' UNION AND THE SCHOOL DISTRICT WHICH, INCIDENTALLY, PRE-DATED TOM'S ARRIVAL IN SAN DIEGO, WAS REPLACED BY MORE PRODUCTIVE INTEREST BASED NEGOTIATIONS;
- PROGRAMS FOR THE 31,000 LIMITED ENGLISH PROFICIENT STUDENTS WERE CREATED;
- AND A MODEL SYSTEM OF INTERAGENCY COLLABORATION WAS UNDERTAKEN.

AS YOU KNOW, SAN DIEGO IS A BORDER COMMUNITY, AND THE 8TH LARGEST URBAN DISTRICT IN AMERICA. IT IS BURDENED WITH ALL THE ATTENDANT PROBLEMS THAN SUCH COMMUNITIES FACE. SAN DIEGO ALSO HAS THE USUAL SPECTRUM OF POLITICAL ATTITUDES, BUT I CAN ASSURE THE MEMBERS OF THIS COMMITTEE THAT TOM IS ALMOST UNIVERSALLY ADMIRERED FOR HIS SUCCESSFUL WORK IN EDUCATIONAL REFORM.

HIS ACHIEVEMENTS HAVE ALSO RECEIVED RECOGNITION BEYOND SAN DIEGO. IN DECEMBER OF 1992 HE WON THE HAROLD MCGRAW, JR. EDUCATION PRIZE, ONE OF THE MOST PRESTIGIOUS AWARDS IN AMERICA EDUCATION, AND THIS YEAR, THE EXECUTIVE EDUCATOR RECOGNIZED TOM AS ONE THE TOP 100 EDUCATORS IN AMERICA.

MY HUSBAND HUGH FRIEDMAN, SERVED AS THE CHAIRMAN OF THE CALIFORNIA BOARD OF EDUCATION IN THE EARLY 80'S, AND IN THIS CAPACITY, HAD THE OPPORTUNITY TO WORK WITH TOM ON THE STATE'S EDUCATION REFORM EFFORTS. IN SAN DIEGO, TOM AND HUGH CONTINUED TO WORK TOGETHER ON A TASK FORCE AIMED AT HELPING STUDENTS, PARENTS AND TEACHERS WORK TOGETHER TO IMPROVE THE QUALITY OF EDUCATION. AS THE SUPERINTENDENT OF THE SAN DIEGO PUBLIC SCHOOLS IN A TIME OF LIMITED RESOURCES, TOM WAS ABLE TO RAISE ACADEMIC STANDARDS AND ENSURE ACCESS TO EDUCATIONAL PROGRAMS. HE ACCOMPLISHED THIS BY INSPIRING EDUCATORS TO AIM FOR EXCELLENCE AND BY ASKING STUDENTS TO DO TAKE MORE RESPONSIBILITY.

DR. TOM PAYZANT IS A MAN WHO CAN AND HAS REALLY MADE A DIFFERENCE. AFTER HAVING TOM PAYZANT AT THE HELM OF OUR EDUCATIONAL SYSTEM FOR 10 1/2 YEARS, TODAY WE CAN BE PROUD OF SAN DIEGO'S EDUCATIONAL SYSTEM. I AM SURE I SPEAK FOR VIRTUALLY ALL SAN DIEGANS WHEN I SAY HOW PROUD I AM TO PRESENT HIM TO YOU.

The CHAIRMAN. The committee stands in recess.  
[Whereupon, at 4:38 p.m., the committee was adjourned.]



