

**WRITTEN TESTIMONY OF MAXIMINO MEDINA, JR.
SUBMITTED TO THE COMMITTEE ON EDUCATION
ON FEBRUARY 22, 2012 RE: GOVERNOR'S BILL NO. 24**

To The Honorable Committee On Education:

Thank you for the opportunity to briefly address some of the significant issues raised by Governor's Bill No. 24 (the "Bill").

My name is Maximino Medina, Jr. and I reside at 140 Hickory Street in Bridgeport, Connecticut 06610.

I am the Managing Partner of Zeldes, Needle & Cooper, P.C. ("ZNC"), a law firm with offices in Bridgeport and Darien, CT.

Currently, I serve in the following capacities:

- I am a member of the board of directors of the Connecticut Citizens Action Group ("CCAG");
- I am a member of the Connecticut Advisory Board for Teach For America ("TFA");
- I am a member of the Bridgeport Board of Directors for Achievement First ("AF") which operates charter schools in Bridgeport;

From 1993 - 2009 I was elected by Bridgeport's voters to serve four terms on what was then a freely-elected Board of Education ("BOE"); during three of those sixteen years I served as the BOE's President.

I attended Bridgeport's public schools from my first day of kindergarten in 1963 to my last day at Central High School in 1976 before proceeding to obtain an A.B. in Government from Harvard College in 1980 and a J.D. from New York University School of Law in 1984.

From 1990 through 2009 I was also a parent of Bridgeport schoolchildren; my wife and I have four children all of whom attended only Bridgeport schools -- High Horizons Magnet Elementary School and then Central H.S. (magnet program) and then went on to college.

I commend Governor Malloy and the members of this Committee who have elevated this discussion to the level of prominence it now occupies. At the same time, I believe Governor Malloy did a great disservice to teachers and the public discourse by claiming all teachers have to do to earn tenure is "show up"; that may be a sound bite which draws cameras, but it is not accurate, fair or helpful.

Summary

- The issues that have to be addressed are too complex and the consequences to children of bad policy too severe to attempt to "fix" all of Connecticut's education problems in only one bill or one session of the General Assembly;
- Education -- and the charged version thereof known as "Education Reform" is where the action is today so it is now attracting the attention of politicians looking for headlines and business operators looking for profits; their interests are not aligned with the best interests of public school children and this Committee should be very wary of Trojan Horses buried within legislative jargon which will eventually undermine, not save, public education;
- There is a growing, and despicable school of thought building momentum which seeks to denigrate the ability of traditional stakeholders such as teachers and parents (especially in communities with high poverty rates and significant Latino and African-American communities, such as Bridgeport) to meaningfully participate in

their schools' governance in favor of the presumed wisdom of opportunists professing to have "new ideas" or "business models";

- A substantial segment of the so-called reform movement is motivated by nothing more than a naked desire to (i) weaken unions and the collective bargaining process, (ii) effect a breathtaking transfer of money from public schools to schools for profit, and (iii) allow some of this country's wealthiest individuals to satisfy their taste for control (or their need to demonstrate some public policy gravitas) by entrusting to them fundamental rights and powers which rightfully should belong to school, community and elected leaders;
- Education is too big, too important and too damn hard an issue to assume any one group can fix it all; the engagement of and contributions from all will be required. That includes the philanthropy community which today rightfully seeks accountability and a return on its investment in education. That does not mean that hedge fund managers may be assumed to know what is always in our schools' best interests; just because you are rich does not mean you are right;
- "Eliminating" tenure is a bad idea because tenure is not at the heart of the problem;
- The heart of the problem in Connecticut's poorest communities is a two-fold challenge: (i) motivating parents who have the means to help their children succeed to become more actively and productively involved and, tragically (ii) creating support systems to save those children who do not have any reasonable expectation of getting meaningful contribution from the adults in their families;

- Strong charter schools which do not discriminate and which are effectively run should be given more money and their leaders additional opportunities to help larger pools of children;
- Anything which discourages more parental/community involvement – such as the coup which the Malloy Administration, State Board of Education and the Fitch Administration engineered in Bridgeport in violation of this legislature's clear statutes – is to be condemned, overturned and avoided.

Discussion

1. Teacher Bashing

The teacher bashing must stop. While it may be temporarily politically expedient for politicians to scapegoat teachers and tenure, that approach will not eliminate the achievement gap. The bashing is an unwise exercise in “group justice” i.e., punishing an entire class of people because some (less than 15% in my experience) really are knuckleheads who do not belong in our schools. Imagine if someone had suggested we enact new laws to challenge the ability of all of the members of the General Assembly to remain in office because job creation in Connecticut is so vitally important (as is education) and the statistics prove zero job growth for 20 years (compare to low test scores) which “proves” we need new representatives and senators to get us better results.

2. Charter Schools / “Reform” Efforts

I played an instrumental role in opening Bridgeport to charter schools and remain proud of my involvement in that process. Achievement First is a fine example of the right way of doing things. However, on the whole, it is not accurate to superficially conclude that

charter schools do a better job than traditional schools. There are conflicting studies to support both camps.

What is clear is that charter schools are the flavor of the month. However, some have operated with too little structure, supervision or government oversight and have actually harmed children.

Charter schools cannot have it both ways. If they wish to be funded as traditional schools, then they must be held to the same basic principles, the most fundamental of which is that they must not be allowed to pick and choose in a discriminatory manner so as to include the better prepared children while excluding those with greater needs or fewer resources.

3. Education and Democracy

It is laughable that politicians now appear before you and attempt to peddle the idea that an indispensable tool to improve education is to disenfranchise voters, parents, community leaders by converting boards of education to mayoral control. My experience has taught me that the single most important valuable in helping poor children learn is the extent of the support and encouragement that child and her educators receive from the child's family. Disenfranchising entire communities of people will make the problem worse. Boards of education will lack legitimacy with the communities whose support is indispensable to success.

This Committee should be outraged at what happened in Bridgeport. Remedial statutes you passed, with safeguards you insisted upon, were flagrantly ignored. A small, unaccountable group of people conspired with members of the Malloy and Finch administrations as well as members of the State BOE to disenfranchise an entire city -- in

the blink of an eye. The speed and secrecy with which all of this was engineered was morally reprehensible.

The Connecticut Supreme Court has a challenge to those actions under advisement. The education grapevine is already buzzing that the Court's delay in ruling may allow the Malloy administration to ask you to include some "fix" at the eleventh hour in whatever legislation you pass to make the case moot. Any such attempt to interfere with the judicial process should be summarily rejected by the General Assembly.

I would be happy to make myself available to answer any questions you may have regarding my testimony. The views and opinions expressed herein are mine alone and do not necessarily reflect the views of any organization with which I am affiliated.

Thank you for your continuing efforts on behalf of the public school children of Connecticut.

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