

CommonWealth

POLITICS, IDEAS & CIVIC LIFE IN MASSACHUSETTS

Isn't every child special?

The funding tug-of-war between special education and regular education

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SPRING 2009

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91



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Hollywood's view of our film industry tax credit

SKILLS AND KNOWLEDGE TEST 2009

As New England's Economy Becomes More Knowledge-Based...

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...How Will We Be Sure Our Students Are Learning What They Need To Know?

According to the Nellie Mae Education Foundation's latest report, *What It Takes to Succeed in the 21st Century – and How New Englanders Are Faring*, the success of our region will depend in large part on how proficient our residents are in the skills necessary for success in New England's increasingly knowledge-based economy - skills like communication, creativity, problem-solving, critical thinking, the ability to work as part of a team, and the use of modern technologies.

Standardized tests still play an important role in an accountability system by providing assessments of certain skills. However, we must recognize that knowledge is obtained in various ways, through different methods in different places, and we must begin to measure competency accordingly.

In order to produce the well-rounded citizens New England needs, we must utilize performance-based assessments that are rigorous, valid and revealing of what learners actually know.

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For more information, visit www.nmefdn.org



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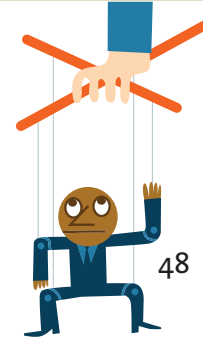
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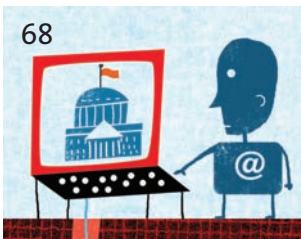
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CANDIDATES NEED A LEVEL PLAYING FIELD

I'm a three-term selectman in Falmouth and a recent independent candidate for the Third Barnstable District seat in the House of Representatives, held by Democrat Matt Patrick. Your editorial and article on "Ending the One-Party State" (CW, Winter '09) were dead on. The problem is that change needs to come from a Legislature that is currently unaccountable to the people.

I ran as an independent based partially on the fact that 54 percent of the voters in my district are unenrolled, to use the term given to anyone who does not subscribe to any of the four officially recognized parties in Massachusetts. You have given me a glimmer of hope that there can be some progress in changing the status quo. My sense is that a moderate Republican party, largely consisting of unenrolled voters, is the best hope.

On the other hand, I watched the news today, and [outgoing Speaker Sal DiMasi's] farewell speech—without a hint of remorse or apology, applauded by his fellow legislators—was scary. The subtitle in your article, "A 'Fool's Errand' to Challenge an Incumbent," also struck me, as I was repeatedly asked if I was crazy to run against any Democrat. I was proud that I got 38 percent of the vote, ran a clean campaign without rancor, and, at the very least, was on the field with my uniform on. People need not be

scared to run. They just need a level playing field. The Minnesota model and the reform actions there are things that need to be addressed. Thanks for the great articles and reaffirmation of what I knew to be true.

Carey M. Murphy
Falmouth

IT'S TIME TO FINALLY ENJOY THE GREENWAY

Spring on the Greenway is here! Thousands will come to enjoy the sunshine, flower beds, and dancing fountains; to eat lunch on the grass; and to people-watch.

The region has waited years for this. Certainly, the Greenway's progress has not always been smooth. (See "Plush Park," CW, Fall '08.) Designs were hotly debated, funding was uncertain, and questions persisted about who would inherit the responsibility to manage, maintain, and program the new public space. But the momentum is shifting. Now the Greenway is a vibrant contributor to Boston's city life and the questions are behind us.

The Rose Kennedy Greenway Conservancy, the nonprofit created to steward the Greenway, has pledged to make it "open, green, excellent, and welcoming to all." The notion of nonprofits managing public land began in the 1980s, with neighborhoods, business groups, and park advocates banding together to save parks that were decaying from government neglect.



The Greenway was created with a vision that was developed collaboratively well before the Conservancy was created. It's a vision that views the Greenway as an urban retreat with parks, plazas, fountains, and public events and programs that draw people closer together and build community. The Conservancy has embraced this vision, and with the signing of a lease with the Massachusetts Turnpike Authority, we began officially to care for the parks on February 23.

None of this progress would have been possible without the shared dedication among the state, the city, the neighborhoods, and the business community—a clear sign of commitment to the Greenway as an important asset for the neighborhoods, the city, and the Commonwealth. In this economic climate, of course, there are questions about the adequacy of funding for this sophisticated park. But a blend of private and public support is assured.

Taken together, this all means one thing: This is the time to start expecting the best instead of the worst. The largest public works project in history has produced a glorious series of parks envisioned as a gift to those who endured the construction for so many years. This summer, it's going to get even better, and now is the time to let ourselves enjoy it.

We welcome letters to the editor. Send your comments to editor@massinc.org, or to Editor, *CommonWealth* magazine, 18 Tremont Street, Suite 1120, Boston, MA 02108. Please include a city or town, as well as a daytime phone number. Letters may be edited for clarity and length.

Take a look at our website (www.rosekennedygreenway.org) for information on the Greenway, its events, and the Conservancy's activities. Come to one of our public meetings. Even better, come on down to the Greenway. Take a walk, sit on a bench, and take a deep breath. Enjoy.

*Nancy Brennan
Executive director
Rose Kennedy Greenway
Conservancy
Boston*

COAKLEY SHOWS FAIRNESS ON NUCLEAR ENERGY

As Attorney General Martha Coakley said in her letter (Correspondence, CW, Winter '09) her office does work hard at consumer protection, to protect "the little guy" from scammers and unscrupulous businesses, and is quite effective at it. We should be grate-

ful for such dedicated and competent public servants.

It is unfortunate that so many attorneys general feel that their responsibility to the public includes intervention in the licensing of nuclear power plants, without having the technical competence to make a useful contribution. Most AG interventions appear to have been based on consultation with anti-nuclear activists or organizations, not with objective and qualified experts. The Nuclear Regulatory Commission is quite thorough and competent, and the time and resources available to ensure safety should not be diverted from expert testimony. Just waving the flag of consumer protection is counter-productive, unless intervention testimony is the result of objective and technically competent preparation.

In view of the quantitative limitations of renewables and of conserva-

tion, of the environmental damage from fossil fuels, of ever-increasing electrification, and of the growing realization that the world's energy demand is ever more rapidly outpacing discovery and exploitation of fossil fuels, a renaissance of nuclear energy is not only essential, but is increasingly recognized as essential.

So, to protect the little guy who relies on the jobs, services, and the necessities of life so dependent on assured supply of electricity, efforts to assure safety should be constructive rather than adversarial. Fortunately, Martha Coakley, our current AG, is open-minded as well as competent. We should expect reasonable and public-spirited objectivity on the issues of nuclear energy—objectivity that some of her predecessors greatly lacked.

*R. Murray Campbell
Cohasset*



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Making an impact

EVERY TIME OUR magazine comes out, I wonder what kind of impact it will have. I know I'm interested in the issues we're covering, but will others find them compelling?

We received a positive answer to that question recently with the release of Gov. Deval Patrick's fiscal 2010 budget proposal. It contains two provisions that were a direct outgrowth of work done by *CommonWealth* magazine and MassINC.

One initiative would require the state to set aside any capital gains tax revenue above a certain level and place it in a "rainy day" fund. Research conducted by Cameron Huff and Dana Ansel for MassINC (see "Point of Reckoning," *Considered Opinion*, CW, Spring '08) found that Massachusetts has become very dependent on capital gains tax revenues, but those revenues are subject to swings up and down depending on the state of the national economy.

Huff and Ansel had a simple recommendation: Smooth out the gyrations by setting aside a portion of the capital gains tax revenues that come in during the good times and using it in the bad times. Unfortunately for Massachusetts, the proposal is moving forward at a time when the state is caught in one of those sharp downward swings, so there's no cushion to soften the blow now.

The governor's other budget proposal would require state agencies to disclose who is receiving a new breed of tax credit that can be sold and converted into cash—and also require the recipients of these tax credits to disclose how many jobs they created in Massachusetts and what those jobs paid.

The information is badly needed to determine whether the tax credits are worth their cost to the state. As *CommonWealth* has reported over the past year (see "Subsidizing the Stars," CW, Spring '08), there is very little follow-up by state government on the hundreds of millions of dollars in tax credits issued each year.

For example, we know the film tax credit is attracting movie productions to Massachusetts because we keep seeing stars like Bruce Willis, Kate Hudson, and Jennifer Garner pass through town. But we don't know what the

payoff is for the state, or whether \$20 million spent on film tax credits is a better use of state money than \$20 million spent on education or local aid.

Judging from Alison Lobron's *Conversation with Hollywood* producer Lynda Obst in this issue, the data we need to evaluate the state's film tax credit won't be given up voluntarily. Obst declined to say how many tax credits she received from the state when she filmed *This Side of the Truth* in Lowell last year or how much cash those credits netted her. She did acknowledge, however, that the film tax credit was the biggest piece of the puzzle when choosing to do her film here. She also said only a third of the film's jobs went to Massachusetts residents, exactly the type of news that would be invaluable to policymakers as they weigh the pros and cons of tax credits.

It's gratifying to see some of our articles and research having an impact on Beacon Hill, and we hope that trend continues with the stories in this issue. For example, Michael Jonas's article on the top-down management of the Massachusetts House underscores the lack of political competition in Massachusetts, a dominant theme of our last issue and the focus of a panel discussion last month featuring Harvard-Pilgrim CEO Charles Baker, Boston City Councilor Sam Yoon, and state Sen. Sonia Chang-Diaz.

This spring's *CommonWealth* raises a host of new issues. The cover story on special education, written by Jack Sullivan and me, represents the magazine's first foray into investigative journalism. It details how special education's soaring price tag is eating away at the foundation of our state's education system.

Elsewhere in the magazine, Gabrielle Gurley reports on a high-stakes bid to cut the state's electricity usage, Colman Herman details the unresponsiveness of some state and local agencies to constituent emails, and Lobron explores the wisdom of blending work and study at college.

I'm happy to see our stories effecting change on Beacon Hill, but I also want to know how our reporting affects you. I welcome your reactions and your suggestions.



BRUCE MOHL

A mandate for change is a mandate for smart.

The world is ready for change – that much is clear.

For leaders of all kinds, this moment presents a rare opportunity. Our planet is not just getting smaller and flatter. It is also becoming smarter. And that means we have the potential to change the way the world literally works.

Computational power is now being put into things we wouldn't recognize as computers – cars, appliances, cameras, roadways...even pharmaceuticals and livestock. We are interconnecting all of this through the Internet, which has come of age. And we are applying powerful new systems and sophisticated analytics to turn oceans of data into insight, knowledge and intelligence.

Consider the changes already under way.

Smart traffic systems are helping to reduce gridlock by 20%, cutting pollution and increasing ridership on public transit.

Smart food systems based on RFID technology embedded into supply chains are monitoring meat, poultry and other items from the farm to the super-market shelf.

Smart healthcare systems are helping to lower the cost of therapy by as much as 90%.

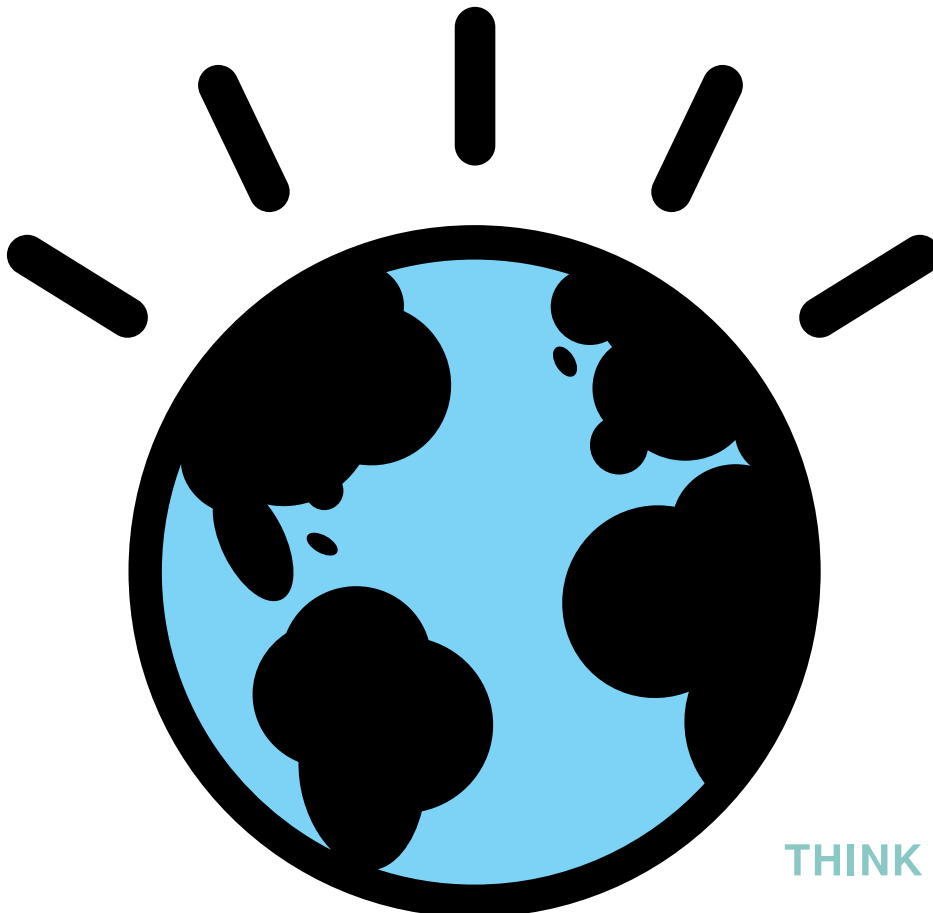
Police departments are correlating street-level information from myriad observations and devices to identify crime patterns – helping prevent crime, rather than simply punishing it.

The list is long, and the transformation is just beginning. Its benefits will be reaped not only by large enterprises, but also by mid-sized and small companies – the engines of economic growth everywhere – and by individuals and communities around the world.

Imagine how a smarter planet will transform *all* the things we seek. The ways we pursue economic growth, societal progress, environmental sustainability and cures for disease. The way we interact with each other and with the world.

The opportunity is before us, and the moment will not last forever. Will we seize it? As we look to stimulate our economies and rebuild our infrastructure, will we simply repair what's broken? Or will we prepare for a smarter future?

Join us at ibm.com/think



inquiries

Beacon Hill pols share their bounty

Massachusetts legislators are big givers with other people's money. Campaign finance reports for 2008 indicate lawmakers took about \$1 million of the \$9.8 million they raised from supporters and donated it to charities, other politicians, or a political party.

The records show 179 lawmakers gave just over \$650,000 to charitable causes. Senate President Therese Murray led the way, donating \$32,485, or nearly 10 percent of the money she raised in 2008, to charitable groups. They included the Franciscan Hospital for Children in Boston, which received over \$4,000, as well as a host of organizations in the Plymouth area including the Plymouth Center for the Arts (\$1,000). Other big givers in the Legislature included Sen. Steven Tolman of Brighton, who donated \$17,000 to local charities, and Sen. Steven Baddour of Methuen, who donated \$15,000.

All but 26 of the 200 lawmakers on Beacon Hill gave money to a fellow politician or a political campaign in 2008. The total handed out was \$406,000, with about half going to the Massachusetts Democratic Party, which uses the donations to support its candidates. "Candidates contribute to the [state party] for the purpose of supporting the coordinated campaign," Stacey Monahan, the Democrats' executive director, said in an email.

Former House Speaker Salvatore DiMasi was tops in political contributions, donating \$25,000 to the state party. He was followed by Rep. Jim Arciero of Westford, who donated \$21,000 to the state party during his successful run for office last year.

► CHRISTINA PRIGNANO

IBM offers transition to teaching careers

► BY ALISON LOBRON

WHEN ELIZABETH COWLES of Bedford graduated from college in 1987, she had two job offers: one to work for IBM and one to teach high school physics. She chose IBM because the pay was better, but always imagined she'd switch to teaching at some point—until life got in the way.

"When you end up with a mortgage and kids and everything else, it's hard to imagine going back for a new degree, paying tuition, and not working," said Cowles, who has three school-age children. "I thought about it over the years, but it's hard to make it work."

Then Cowles learned about Transitions to Teaching, or T2T, an IBM program that offers money and schedule flexibility to employees who want to retrain as math and science teachers. While continuing to work half-time as an IBM analyst, Cowles enrolled in a part-time program to earn a master's in education at Boston College, and IBM footed about two-thirds of her tuition bill. Last December, she left the company after 21 years, and is now student-teaching at Bedford High School while she finishes up at BC.

Cowles says she expects a full-time teaching salary to be equivalent to her half-time IBM salary, but she still thinks the trade-off will be worth it and is looking for a permanent post for September. The biggest incentive is that she enjoys teaching. A close second is the chance to have the same vacations and daily schedule as her kids.

"When you have kids, having to travel in the corporate world is very challenging," says Cowles, who was on the road every few months in her IBM days. "It's a quality-of-life issue."

Maura Banta, the IBM executive who helped launch the program in 2005 and who also chairs the Massachusetts Board of Education, acknowledges that T2T follows a rather odd business model. That is, most companies don't pay to train employees to go work somewhere else. Part of the goal, she said, is for the company to position itself as a leading voice in math and science education—and to demonstrate that teachers who come out of industry, rather than schools of education, can succeed in the classroom.

"We knew that if we didn't prove that you could do this, we'd have no ability to actually work in the policy area around how to prepare teachers differently," she said. "The program was born out of a desire to walk the talk."

IBM gives program participants up to \$15,000 in tuition reimbursement, as well as scheduling flexibility that allowed Cowles to take a morning class three days a week. Employees choose and apply for their training and certification programs; the company helps out only with money and time. Parti-

cipants must work for IBM for at least a decade to be eligible, and Banta says the current crop ranges from 30-somethings wanting a seismic life change to Baby Boomers eager for a meaningful “encore” career.

Four years after the program launched, there are 105 participants nationwide, 12 of them in Massachusetts, making for a relatively small number compared with IBM’s total workforce of nearly 400,000. Banta predicts T2T will always be small, thanks to teacher’s pay (compared with engineer’s pay), the challenges of the profession, and the realities of starting over.

But she hopes other science and technology companies—and, perhaps most importantly, policy-makers—will follow IBM’s lead and make it easier, and cheaper, for mid-career professionals to share their knowledge with kids. “I would personally like to see us be more realistic, and understand that you don’t necessarily go into teaching for 30 years,” says Banta. She hopes T2T will help challenge the common public image of teaching as a job for “people with low SAT scores” to one that talented people are eager to choose, either for all or part of their working lives.

Banks balk at short sales of underwater homes

► BY MICHAEL JONAS

WITH BANKS BLEEDING red ink under the weight of massive losses on home loans, you would think lenders would be scrambling for every dollar they can squeeze out of the devalued houses they hold mortgages on. But when it comes to minimizing mortgage losses, housing advocates and real estate agents say banks often can’t get out of their own way.

Consider a modest two-family house on Guinan Street in Waltham, which was bought in 2005 for \$520,000 and financed with no down payment, a common practice during the height of the real estate boom. Last year, falling behind on their mortgage and with the falling value of their house now well below the balance on their mortgage, the couple that owned the home tried to get out from under the debt through a short sale. In a short sale, a lender agrees to accept the proceeds from the sale of the house, even though it is less than what’s owed on the mortgage, and



This house in Waltham was sold for \$520,000 in 2005 and for \$275,000 this year.

consider the loan to be settled.

The house was listed in January 2008 for \$500,000. The price was dropped to \$450,000 later that month, to \$399,000 in mid-February, and then to \$350,900 by the end of February. Luis Gonzalez, the real estate broker handling the listing, says the owners finally received an offer of \$330,000, but the lender refused to accept a short sale at that price.

Though the bank loses money on a short sale, if the borrower is able to sell the house at or near its current market value, it can minimize the lender’s loss, since the bank’s alternative is to wade through the foreclosure process and then sell the property. In the meantime, the bank will incur costs to maintain the house, and the value may fall even further if the market is continuing to deteriorate.

That’s exactly what happened with the Waltham two-family home. In November, Nomura Home Equity foreclosed on the house. Two months later, the company sold it to a local real estate investor for \$275,000, or \$55,000 less than the earlier offer to buy the house as a short sale. After

HESITATION CAN MEAN A BIGGER LOSS.

putting \$20,000 to \$30,000 of work into the home’s kitchens and bathrooms, the new owner now has the house listed for sale for \$429,000 and already has turned down one offer close to \$400,000, according to the listing broker, David DiGregorio of Coldwell Banker Residential in Waltham.

“They’re stabbing themselves in the back,” Gonzalez says of lenders that turn down short sales only to wind up recouping even less of what they are owed on a house.

He and other brokers say it can be difficult to navigate through the complex web of financial institutions that have a stake in many homes. The bank that holds the mort-

gage often hires another company to service the loan and handle any transaction, and getting approval for short sales can drag on so long that buyers often get impatient and walk away from the potential deal.

"I see that scenario maybe six or seven times a month within our office alone," says DiGregorio. "They're literally their own worst enemy," he says of banks that drag their feet on short sales.

Tom Callahan, the director of the Massachusetts Affordable Housing Alliance, a statewide nonprofit that guides first-time buyers through a state-sponsored low-interest mortgage program, says 10 percent to 15 percent of the buyers MAHA has assisted in recent months were able to purchase homes through short sales. But it can be a trying process, he says. "Banks and lending institutions have been making decisions that often are not in their economic self-interest because they can't figure out how to deal with the volume of requests," says Callahan.

Gonzalez says the firms that hold and service mortgages are understaffed and overwhelmed with troubled loans. "Sometimes I feel they don't even know what the heck they own," he says. "It's really messy."

School mergers in Maine hit snags

► BY MATTHEW STONE

MASSACHUSETTS OFFICIALS LOOKING to consolidate some of the state's school districts need only look north to Maine to see how tough that job will be.

Maine Gov. John Baldacci first floated his district consolidation proposal in January 2007, saying the state's cost of school administration shouldn't continue to grow as the student population shrinks. So he called for the state's decentralized network of 290 school systems—ranging in size from the five-student Monhegan Plantation on the Gulf of Maine to the 7,000-student Portland system—to become just 26 districts.

But smaller school districts are not fading away quietly. The consolidation bill that eventually passed in June 2007 called for 80 districts, and now, with just a couple months before the big reduction is slated to take effect, it looks like 220 districts will remain.

"Of those plans that failed, they failed for a reason," says state Sen. David Trahan. "Those communities do not want the state of Maine dictating what they do with their



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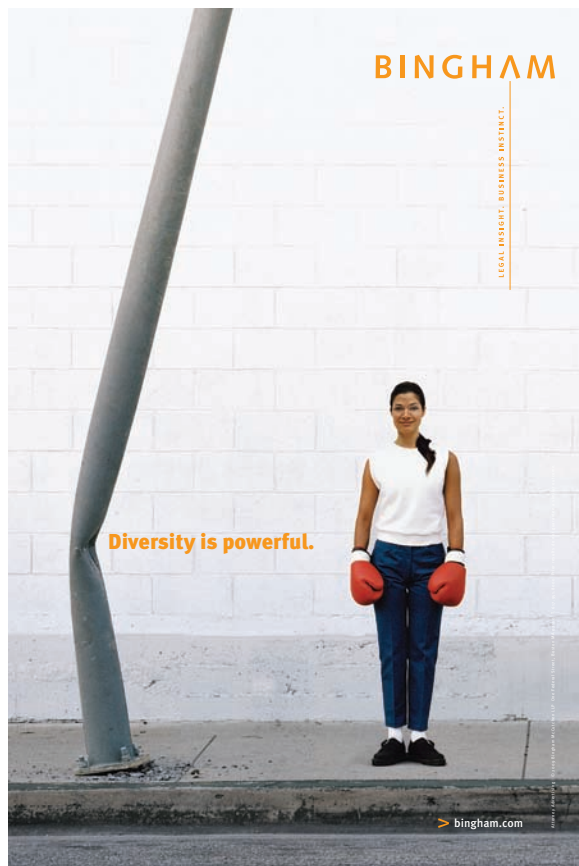
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education system.”

Trahan, a Republican from Waldoboro in Maine’s Mid-Coast region, actively supported a successful effort last year to gather the more than 55,000 signatures needed to bring a consolidation repeal question before voters this fall. He is also sponsoring one of five repeal proposals pending in the Legislature this session.

“It’s too sweeping. It’s too broad. It’s one size fits all,” Trahan says of the consolidation law, “and I just don’t think it fits in the state of Maine.”

In the more than 120 districts where voters turned down consolidation plans, schools will bear the penalties written into law for noncompliant school units: reductions in state education subsidies.

Fayette, for example, is a small district near Lewiston where the 130 students attend school in town until sixth grade and then choose among a handful of neighboring districts’ schools. Fayette previously split from a larger district, and in January it rejected a proposal to merge with two nearby school systems.

“Towns like Fayette rejected consolidation because it did not offer an opportunity for efficiency to save taxpayer dollars,” town manager Mark Robinson says. The town now faces a \$39,000 cut in state aid for the coming school year.

The Maine approach to school consolidation relies more on sticks than carrots to work, although a lot of latitude was left to school districts. Existing school systems choose their own partners, no schools close as a result of the mergers, and communities accustomed to school choice can maintain it. Geographically isolated districts, as well as those with 2,500 or more students, are exempt from the mandate.

For the Maine Department of Education, implementing the law has led to some awkward realizations. Under one of the law’s snarls, for example, 17 districts that voted in favor of consolidating found they couldn’t because their merger partners rejected the arrangement. Those districts now face the same penalties as districts that opposed mergers.

The exemption of districts with more than 2,500 students, such as Portland, has also split Maine in two. Districts in the state’s sparsely populated, rural northern reaches found themselves scrambling to set up partnerships and bring them before voters. Districts in more heavily populated southern Maine found they could maintain the status quo while complying with the sweeping state mandate.

Massachusetts officials are moving more slowly on consolidation. They are making the case for it not by arguing that savings will result, but by arguing that bigger is better. J.D. LaRock, policy director at the state’s Executive Office of Education, says academic achievement will be the pri-

mary motivation behind any regionalization proposal.

LaRock, citing eighth-grade test data from 2008, says that districts of a certain size produce stronger academic results. “When you look at the exams, you see a clear trend that moderately larger districts do better,” he says, citing school systems of about 5,000 students. “These central offices have greater capacity to support their schools in the way we want.”

According to LaRock, who says his office is working on a bill to be introduced “over the coming months,” a regionalization proposal for the Bay State will be open to a variety of approaches.

“It may be more complicated in some parts of the state as opposed to others,” he says. “In some cases, two communities might want to join. In some cases, it might be more.”

The Department of Elementary and Secondary Education in February awarded nearly \$275,000 in planning grants to 12 districts considering regionalization. If the districts consolidate, the mergers would chip away at Massachusetts’ network of 328 school districts—including 284 with fewer than 5,000 students—and, LaRock says, provide key insights for the rest of the state.

Matthew Stone is a freelance writer living in Sidney, Maine.

Email exchanges with Patrick’s office reveal Wilkerson’s tenacity

► BY COLMAN M. HERMAN

THE FEDERAL AFFIDAVITS filed in conjunction with the bribery investigation of former state Sen. Dianne Wilkerson reveal how relentless she could be in pursuing policies and projects of interest to her alleged benefactors. Nowhere is that more evident than in her dealings over the years with Gov. Deval Patrick and his staff, according to emails obtained by *CommonWealth* from the governor’s office under the state’s Public Records Law.

“I had a less than pleasant meeting with Sen. Wilkerson today,” writes Joan Wallace-Benjamin, the governor’s former chief of staff, in a March 2007 email to other top administration officials, including David Simas, deputy chief of staff, and Michael Morris, director of government affairs. “You guys have got to keep her better informed and show her the respect to which she feels as a senator



Wilkerson is now being investigated on bribery charges.

she is entitled.”

Wallace-Benjamin goes on to say that Wilkerson is upset that she had not been invited to meetings on gaming that the governor had with legislators. “So please, David and team,” Wallace-Benjamin implores, “call her, speak with her about her legislation and what she needs and wants from us and the governor. She also wants to meet with him.... This needs immediate action.”

In the same email, Wallace-Benjamin laments that Wilkerson “admonished me that we have more (new) Republicans working on our agencies than African-Americans and the community is ripped! The Latino community is up in arms as well; and you all know we have received a binder of talent from the Asian community.”

Wallace-Benjamin then lists 11 people she wants hired. According to public records, five of them are now on the state payroll.

Another email exchange in December 2007 about an awarding of federal justice assistance grants reveals how Wilkerson’s tirades could ricochet with lightning speed through the Patrick administration. Layla D’Emilia-Shepherd of the Executive Office of Public Safety and Security emailed Patrick’s chief of staff, Doug Rubin, and two other officials after a phone call Wilkerson had with D’Emilia-Shepherd’s boss, Secretary of Public Safety Kevin Burke. “Burke just got off [the] phone with Wilkerson,” she writes. “She is pissed. Heads up.”

Rubin apparently got an earful in person, since he later wrote back to D’Emilia-Shepherd: “She just left my office. You are right, she is upset.”

The records also suggest Wilkerson was active in pushing for Columbus Center, a proposed development spanning the Massachusetts Turnpike in the South End. The chief developer of Columbus Center is Arthur Winn, who has admitted giving Wilkerson a \$10,000 gift.

In a June 2007 email, an administration official refers to a call Wilkerson had made to Rubin and Morris asserting that the Columbus Center proposal “isn’t moving fast enough.” The next day, Morris emailed colleagues to express his concern. “Sen. Wilkerson just called me again to say she

has not heard from anyone,” Morris writes. “Can someone call her and give her an update? She is going to be with the governor tomorrow at a bill signing so I would like someone to reach out to her before she complains to him.”

In another email, this one in January 2008 from Wilkerson to Morris, she blasts Burke for his handling of legislation dealing with criminal offender records. “This entire process and how it was handled by the secretary and his staff has been outrageous.... We were flat-out lied to,” Wilkerson writes. “I am completely out of patience.... Unless and until you rethink the process, I am not interested in spending any more time trying to work with the administration.”

She did, however. Patrick’s records indicate that he met with Wilkerson twice more. In June 2008, for example, Wilkerson’s chief of staff emailed Patrick’s office asking for a meeting outside the State House. That meeting, which took place on June 25, dealt with Wilkerson’s campaign, according to a Patrick spokesperson.

While Patrick’s legal counsel has handed over about 45 documents to *CommonWealth* dealing with the administration’s interactions with Wilkerson, he refused to release nine other records. On seven of them, he cited the Public

Records Law’s deliberative process exemption, which shields documents from public scrutiny that are part of an ongoing public policy development process. The two remaining documents were excluded under the claim of attorney-client privilege.

Patrick’s lawyer also cited a previous Supreme Judicial Court decision that the governor has interpreted as exempting him entirely from the Public Records Law. Patrick’s aides say he voluntarily complies with most records requests,

**‘WE WERE
FLAT-OUT
LIED TO.’**

but a recent review by *CommonWealth* of public records requests made to the governor found that it is not uncommon for him to withhold documents.

Last year *CommonWealth* ran a cover story on the weakness of the state’s Public Records Law. (See “Paper Tiger,” *CW*, Fall ’08.) Rep. Antonio Cabral of New Bedford has filed legislation that would toughen the law in a few respects, but it does not address the issue of whether or not the governor is covered. (See “Rep. Cabral to Push Public Records Bill,” *CW*, Winter ’09.) Cabral is anticipating a hearing on his bill in a month or two. The legislation, Cabral says, could be folded into an ethics reform bill. **CW**

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STATISTICALLY SIGNIFICANT

BY ROBERT DAVID SULLIVAN

DOING TIME OUTSIDE THE BIG HOUSE

One in every 24 adults in Massachusetts—or 4.1 percent—was “under correctional control” in 2007, according to recent data from the Pew Center for the States. That’s far above the national average (the center’s report is actually titled “One in 31: The Long Reach of American Corrections”), and only Georgia, Idaho, and Texas had a greater percentage of their populations under supervision.

What was unique about the Bay State is that we were so lopsided toward non-prison supervision—that is, the use of probation and parole as an alternative to putting people behind bars. Massachusetts ranked third in the percentage of adults on probation or parole (3.58 percent), but we were way down at 46th in the percentage of adults in prison (0.53 percent), with lower numbers only in New Hampshire, Vermont, Minnesota, and Maine. Nationwide, there were twice as many adults on probation or parole as there were prisoners; here the ratio was more than 7-to-1. (Only Oklahoma and Virginia had more people under supervision inside than outside.)

The reliance on non-prison sentencing may be one reason that Massachusetts spends only 4.6 percent of its general budget on corrections, well below the national average of 6.9 percent.

BAY STATE FARMS GET FRUITFUL AND MULTIPLY

Are “buy local” campaigns helping to preserve the state’s small farming sector? New data from the US Department of Agriculture show that the number of working farms went up from 6,075 to 7,691 from 2002 to 2007—even though the amount of land devoted to farming stayed almost identical, going from 518,570 to 517,879 acres. That meant the average farm size dropped from 85 to 67 acres. From 2002 to 2007, the annual market value of the state’s agricultural output grew by 27 percent, to \$490 million.

Of the state’s 14 counties, Plymouth showed the greatest decline in farm acreage (down 17 percent), while next-door Bristol County registered the biggest increase (up 9 percent).

After the release of the USDA data, the state’s Department of Agricultural Resources proudly noted that Massachusetts ranks second in the nation in cranberry and wild blueberry production, and is also in the Top 10 for squash, maple syrup, and raspberries. One thing the state doesn’t brag about: We’re ninth for tobacco production, and Hampden County ranks 50th among all 437 tobacco-producing counties in the US.



GRIDLOCK LOOSENS GRIP ON BOSTON IN 2008

Like the rest of the US, metropolitan Boston experienced a “startling” decrease in traffic congestion last year, but we still have more than our share of bottlenecks, according to new data from Inrix Traffic Services.

The market research company, which compiles data from GPS-equipped vehicles, estimated that traffic congestion during peak travel times dropped by 29 percent in the 100 largest urban areas last year, with only Baton Rouge, Louisiana, registering more crowded roads. Inrix cited “turbulent fuel prices and a struggling economy” for the drop. Congestion in high-unemployment Detroit, for example, dropped by 47 percent.

In Boston, congestion dropped by 27 percent, a bit below the national average, and we were ranked as the eighth most congested area in the US overall. The worst “bottleneck” in the region was Neponset Circle in Dorchester. It ranked 190th in the US in 2007 but rose to 116th last year.

TROUT COMMUNITY GETS STIMULUS

The state's trout population is surging by 518,000 this spring, thanks to the Division of Fisheries and Wildlife's program of restocking waterways with fish from the state's four hatcheries. The infusion of "feisty" fish includes 3,000 tiger trout measuring at least 14 inches across, but smaller brooks and streams are more likely to see fish in the 6- to 11-inch category.

The biggest trout recorded in Massachusetts was a 24-pounder caught in 2004 in the Wachusett Reservoir. Perhaps the economic advantages of fishing as a sport — when you win, you get to eat! — will inspire local anglers to do even better this year.



TAX FOUNDATION GIVES MIDDLING GRADE TO MASSACHUSETTS

Massachusetts had the fifth highest annual state-and-local tax burden per capita (\$5,377) in the 2008 fiscal year, according to the Tax Foundation's recent ranking of the states on tax-and-spend issues. But that was largely because we were the second wealthiest state, with an annual income per capita of \$58,661.

On the measure of state and local tax burden as a percentage of tax filers' income, we were pretty near the middle of the pack, in 23rd place. An estimated 9.5 percent of our income went to Beacon Hill or City Hall. The comparable figures were 11.8 percent in first-place New Jersey, 11.7 percent in New York, and 11.1 percent in Connecticut.

As far as the Tax Foundation was concerned, Massachusetts gets high marks for its sales tax burden (ninth best, or lowest, in the US, much better than 49th-place New York). And we ranked 16th best in terms of the income tax. But we ranked 44th (or seventh worst) in terms of property tax burden; we were also 47th in the "unemployment insurance tax index" and 44th in the "corporate tax index."

Massachusetts had the third highest cigarette tax in the survey, the 40th highest beer tax, and the 26th highest gas tax. But depending on how things play out on Beacon Hill, we could vault past first-place New York, now at 41.3 cents per gallon.

BAY STATE DENTISTS REVEAL THEIR AGENDA

Both the Massachusetts Dental Society (MDS) PAC and the affiliated Massachusetts Dental Society Peoples Committee were among the 10 political action committees with the most money left on hand at the end of 2008, according to the state's Office of Campaign and Political Finance. The former had a balance of \$119,762; the latter had \$135,717. (The Retired Public Employees PAC was on top with \$1,162,958.)

Now we may know what the state's dentists have been gearing up for. The MDS is sponsoring legislation this year that would require every child in Massachusetts to have a dental exam by a dentist before entering kindergarten, in much the same way as children are required to have physical exams before starting school. The MDS agenda also includes "a proposal to work with the state to assist dental school graduates with tuition and loan repayment"—which may have something to do with dentists' complaints that Massachusetts is not paying them enough to treat patients with state-subsidized insurance plans, as reported in the *Boston Globe* last summer.



THE COST OF DOING NOTHING ABOUT THE HEALTH CARE CRISIS IS JUST TOO HIGH.

The health care crisis facing this country affects us all. And the financial burden it's placing on millions will only get worse if something isn't done now. AARP thanks President Obama for pledging to make health care reform a priority in 2009. We call on Congress to continue its bipartisan work with President Obama on health care solutions for all Americans.

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Our country just can't afford our broken health care system any longer.

Join us in demanding action at DividedWeFail.org.



End of an exodus BY ROBERT DAVID SULLIVAN

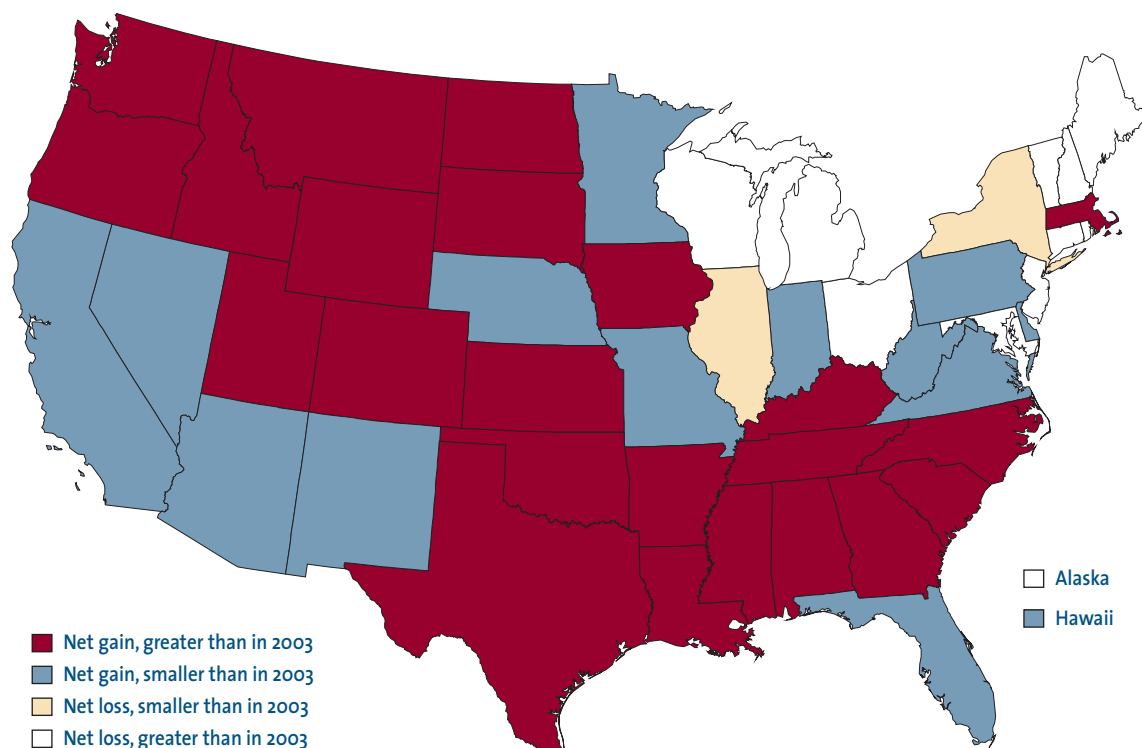
ONLY A COUPLE of years ago, many of us fretted about the Bay State's declining population. (See "A Fading Dream?," Civic Sense, CW, Fall '06.) We didn't realize that something was coming that would reverse the tide: a rotten economy.

According to Census Bureau estimates, Massachusetts grew by just over 30,000 people from July 2007 to July 2008, our biggest gain since the official 2000 count. This was not because we were having more children (our birth rate was still among the lowest in the US), and it wasn't because more immigrants were arriving here (the influx from other nations was the smallest since 2000). Instead, fewer people left Massachusetts for other states—perhaps, in part, because falling real estate prices are making it harder for people to sell their homes and use the profits to move elsewhere. In 2005, we registered a net loss of 60,053 people to domestic migration. Last year that net loss was down to 18,675. Add our 23,551 international immigrants over the same period, and you come up with 4,876 more people deciding to settle here than deciding to leave.

As the map below shows, the Bay State may be in the vanguard of a national demographic shift. It was the only Northeastern state with a net migration gain in 2008 that also represented an improvement over 2003. (Five other states went from a net loss to a net gain over the same period: Kansas, Louisiana, Mississippi, North Dakota, and Utah. How often are Massachusetts and Utah part of the same trend?) It's striking that all five other New England states showed net migration *losses*, perhaps a sign that long commutes to jobs in Boston and New York City are going out of fashion.

The “sand” states of Arizona, California, Florida, and Nevada—all whacked by high foreclosure rates—still gained people last year, but at a much slower rate than before. A report by the Brookings Institution in March noted that “the migration bubble in the middle of this decade, fueled by easy credit and superheated housing growth in newer parts of the Sun Belt and exurbs throughout the country, seems to have popped.” **CW**

NET MIGRATION GAIN OR LOSS, 2008 VS. 2003



Source: US Census Bureau (www.census.gov).

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*"How much cutting
is really going on?"*

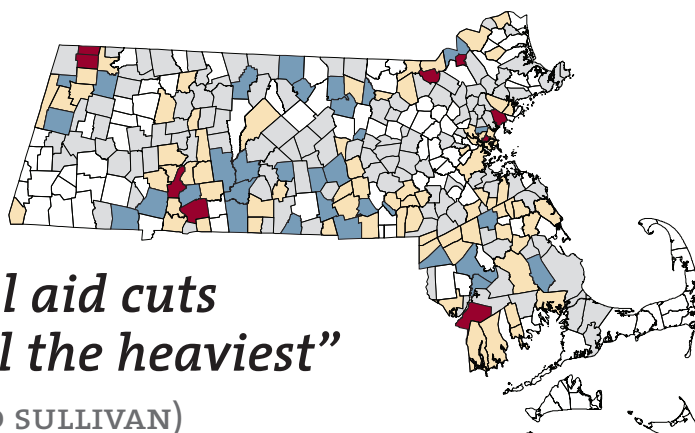
(BRUCE MOHL)

*"Ka-ching:
Delay pads
DiMasi's
pension"*

(JACK SULLIVAN)

*"Money for nothing: Still
dire straits at the MBTA"*

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*"Where local aid cuts
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Primary colors

BY ROBERT DAVID SULLIVAN

WHAT WOULD THE political geography look like if Treasurer Tim Cahill challenged incumbent Gov. Deval Patrick in next year's Democratic primary? It would be Faneuil Hall and Tanglewood vs. Plymouth Rock and the Lowell Spinners, if past results are any indication.

The map below gives us an early look at the contest that may or may not happen. It's a mash-up using the results of both men's last competitive primaries. Red communities leaned toward Patrick, and blue communities got on the "Tim for Treasurer" bandwagon. Patrick won the three-way 2006 gubernatorial primary with 49.7 percent of the vote; Cahill won the four-way 2002 treasurer's primary with 35.8 percent of the vote. That Patrick finished 14 points ahead of Cahill doesn't mean anything in itself, since the number of candidates and the dynamics were different in each primary, but the map below gives us an idea of each man's geographical base.

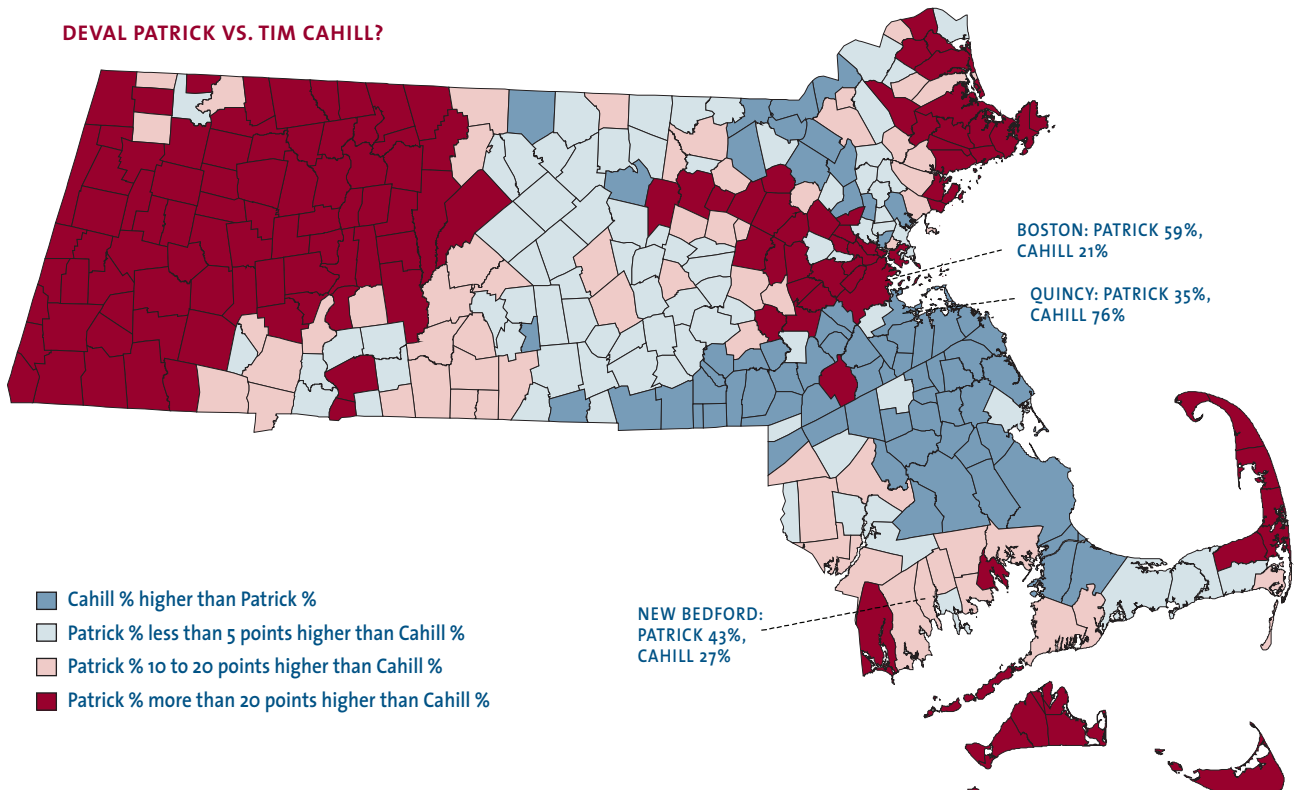
Patrick dominated the western third of the state in 2006. Unfortunately for the governor, this is also the region that may react most negatively to his proposed hike in the

state's gas tax—especially if voters there feel that metro Boston will get most of the benefit of increased spending on mass transit and other transportation projects. But Patrick may be able to compensate for any drop-off in support west of Worcester by mining for votes in urban centers. He ran more than 20 points ahead of Cahill's numbers in Boston, Newton, Cambridge, Springfield, and Somerville, for example.

Cahill's strength centered on the South Shore, though he also did well in some Merrimack Valley towns. He was noticeably stronger than Patrick in his hometown of Quincy, plus Plymouth, Lowell, Weymouth, and Methuen.

If Patrick and Cahill maintain their respective bases, the results of a primary may come down to places where neither candidate has done especially well. The biggest cities where both underperformed their state averages were New Bedford and Fall River. So the South Coast, which has been faring the worst during the economic downturn, may get to flex some political muscle come 2010. **CW**

DEVAL PATRICK VS. TIM CAHILL?



Source: Published data from the Massachusetts Secretary of State's Office. Not available online.



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Back in the sunshine

Bay State scientists have high expectations—and high positions—in the Obama administration **BY SHAWN ZELLER**

DURING HIS EIGHT years in office, President Bush alienated few groups more than scientists, who complained that he ignored them and impeded their work. So when President Barack Obama took office in January, researchers had high hopes for big changes, perhaps impossibly high hopes. But so far, they like what they see.

“It is just really a breath of fresh air,” says Marc Kastner, the dean of science at MIT. After Obama sought and won \$15 billion in new science funding in February’s stimulus legislation, Kastner said his colleagues were feeling “excited” and “enormously pleased.”

That may have been the first concrete signal that Obama values science more than Bush did, but just as important, science advocates say, were the morale boosts Obama has given the scientific community, from the nod he gave during his inaugural address—“We will restore science to its rightful place”—to his campaign promise to double funding for basic research over the next decade.

“There’s a widespread perception that he really cares about science and that he and his administration are going to listen to scientists,” says Kastner.

Indeed, beyond funding, scientists say they want a voice in policymaking, or at least a sense that Obama is weighing scientific research on issues such as health care and the environment.

Obama has made it clear he plans to give it to them, announcing within weeks of taking office that he would review the role that the White House Office of Management and Budget plays in the regulatory process. Civil service scientists complained repeatedly during the Bush years that OMB officials buried their findings because they were more concerned about the economic impact of regulations than their benefit in protecting the environment or human health.

Another reason to take heart, science advocates say, are Obama’s chosen science advisors, who are all well-known in their fields. Two of the most prominent—John Holdren, from Harvard University, and Eric Lander, director of MIT’s Broad Institute—are from Massachusetts.

Holdren, named by Obama to head the Office of Science and Technology Policy, is an outspoken proponent of combating global warming. A physicist and professor of environmental policy at Harvard’s John F. Kennedy School of Government, he advised the Obama presidential campaign on energy policy and is a former chairman of the American Association for the Advancement of Science, a Washington-based group that represents 10 million scientists and science enthusiasts. He is known for being outspoken, having once said that he was aggressive in pushing for a reduction in greenhouse gases because any less vociferous advocacy “could be interpreted as satisfaction with the status quo.”

Lander is a major figure in the study of the human genome, which scientists believe is the key to unlocking the mysteries of disease. He has been named co-chair of the President’s Council of Advisors on Science and Technology, along with Harold Varmus, a former director of the National Institutes of Health. Lander makes it plain that he will push Obama to use science to bolster his policymaking. “I can’t think of a time when the problems and challenges facing the country—environment and energy, health care, education—had more to do with science and technology than they do today,” he says.

Other top appointees, such as Energy Secretary Steven Chu, a Nobel Prize-winning physicist, figure to be equally hard-headed, says Alan Leshner, the American Association for the Advancement of



MIT's Eric Lander and Harvard's John Holdren are among President Obama's science advisors.



Science's current president. "It's not very likely they will compromise their scientific values easily," he says.

OF COURSE, BY all indications, Obama doesn't plan to give his scientific advisors much cause to compromise. After all, scientists, like most in the academic world, share Obama's worldview and voted for him in overwhelming numbers. And on core issues of environmental protection and health care, Obama sees things their way.

That's a stark change, of course, from the Bush years, when political considerations regularly trumped scientific evidence.

On stem cell research, for example, Bush determined that whatever the benefit of such research in potentially curing disease, it did not outweigh the ethical problems spawned by the destruction of embryos.

And while it's impossible to know if important scientific findings were delayed because of the policy, says David Scadden, co-director of the Harvard Stem Cell Institute, Scadden believes that Bush's policy dissuaded talented researchers from entering the field, as well as many institutions from embarking on research programs.

Harvard sought philanthropic funding for its research—no small imposition, Scadden says, given the fundraising efforts and paperwork involved. So Obama's election, he says, was "a real lift to those involved in the field because we think this administration will be much more attentive to allowing research to move forward without the very unprecedented imposition of religious perspectives on the conduct of science" that marked the Bush years.

Scientists are equally enthused about a shift in global warming policy. Bush, to their frustration, acknowledged the existence of the phenomena but refused to pursue serious policy solutions because of the threat he felt they posed to the economy.

By contrast, environmental researchers can't see Obama doing anything but the opposite. His "team is very much aware of climate change, which is our biggest challenge, and the need for a clean energy transformation," says Paul Epstein, associate director of the Center for Health and the Global Environment at Harvard Medical School.

Bush's longtime science advisor, John Marburger—director of the Brookhaven National Laboratory on Long Island before joining Bush's White House in 2001—tried to minimize such disputes in an article for *Physics World* last year. He said that while they were substantive, the disputed matters comprised "a small fraction of the total US science activity," and that overall spending on scientific research increased during the Bush years.

But Kastner, MIT's dean of science, insists that Bush's decisions had not only a "financial cost" but also "an intellectual cost" on the research community. He says the decisions had a chilling effect on civil service scientists,

The approach is a stark change from the Bush years.

who saw their work ignored or papered over and sometimes feared for their jobs as a result. "Distinguished scientists couldn't talk about their research," he says. Kastner says that scientists "don't expect [Obama] will always do what we say, but we know we will be respected."

Bush did increase scientific funding, to the tune of 56 percent over his eight-year tenure, but much of that increase went toward homeland security and defense research, key priorities for Bush in the wake of the September 11 terrorist attacks. Inflation ate up most of the increases for the life sciences and basic research.

The last president's ability to do more for scientific research was also limited by two costly wars in Afghanistan and Iraq. Obama will face those same hurdles, plus a massive deficit as the federal government spends heavily

to revive the economy.

Robert Boege, executive director of the Alliance for Science & Technology Research in America, a lobbying group representing universities and corporations, says the federal stimulus law contains new money for scientific research. "But the reality is, we need much more significant increases," he says. "I think all of us in the community have a real task ahead of us."

Part of the challenge—and the reason the Senate tried unsuccessfully to strip science funding from the stimulus law—is that the gains from research often take years to realize. But Holdren, at his confirmation hearing in February, said he believes economic growth is directly tied to basic research. "In today's time of economic crisis, we have to resist the temptation to reduce our investments in these foundations of our prosperity," he said.

The other big challenge for science advocates, they say, will be to ensure that Obama follows through on his pledge to allow government scientists to conduct their work without political interference.

In December, the Cambridge-based Union of Concerned Scientists sent Obama a list of steps to take to ensure scientific integrity in his administration. Most important, the group said, Obama should pursue legislation protect-

ing civil service scientists who blow the whistle on political appointees who interfere with their work.

The House passed a bill with whistleblower protections for scientists in 2007, but the Senate failed to act on it. The result, says Jeff Ruch, executive director of the Washington-based Public Employees for Environmental Responsibility, is that "when key conclusions of a study are removed or rewritten, when the methodology is changed, or a scientist is taken off of an investigation in mid-course, scientists have little recourse."

Obama supported the whistleblower measure and, Ruch hopes, will sign it if it reaches his desk. Still, given the administration's desire to put forth a disciplined message, Ruch says he's taking nothing for granted. "It's one of the central tensions I expect to find in the Obama administration," Ruch says. "In the world of science, disagreements are aired. But presidents want their administrations to speak with one voice."

Holdren, for his part, acknowledges that he can't promise that science will always win out. "Scientific facts are never everything in decision making and policymaking," he says. But he added that he would insist that, if scientific findings were overruled, the public should know. "We're going to get it right," he says. **CW**

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— *The Boston Globe*, November 10, 2008

"Brigham and Women's Hospital, in a first-of-its-kind medical trial has performed...a safer, less traumatic operation to help address the nation's obesity epidemic."

— *The Boston Globe*, June 28, 2008

"The technology, invented at Massachusetts General Hospital uses a microchip scanner no bigger than a business card to...identify minute amounts of tumor cells floating in the blood of cancer patients..."

— *The Boston Globe*, July 3, 2008

"Researchers have pinpointed 32 genes linked to Crohn's disease...That is the biggest reported catch for any disease...said Mark Daly of Massachusetts General Hospital...the study's senior author"

— *The Boston Globe*, July 7, 2008

1846 First public demonstration of ether use during surgery
— *Massachusetts General Hospital*

1883 First use in North America of antiseptic during childbirth to protect mothers and newborns from deadly infections
— *Brigham and Women's Hospital*

1896 First use of X-ray image for diagnosis in U.S.
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1929 First use of iron lung to save polio victim
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1954 First successful human organ transplant
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1962 First successful surgical reattachment of severed limb
— *Massachusetts General Hospital*

1984 First heart transplant performed in New England
— *Brigham and Women's Hospital*

1993 Discovery of genes responsible for Huntington's disease and inherited ALS
— *Massachusetts General Hospital*

2003 Development of CRP test to predict risk of heart attack and stroke
— *Brigham and Women's Hospital*

2005 First use of new type of laser surgery to treat vocal injuries
— *Massachusetts General Hospital*



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Labor lessons

Students work as their own maintenance staff at a North Carolina college

BY ALISON LOBRON

SNOW ON WARREN Wilson College's campus is an unusual sight—not only because western North Carolina rarely gets more than a dusting, but because students are the ones driving the plows. Students also prepare the cafeteria food, staff the administrative offices, clean the classroom buildings, and maintain the vehicles at this liberal arts college tucked into the Blue Ridge Mountains.

But unlike many colleges, where the students with jobs are the ones who couldn't otherwise afford tuition, Warren Wilson College requires all residential students to work 15 hours a week, regardless of family income. They earn minimum wage, and the school treats their yearly earnings as a credit against tuition, which in 2009-2010 will be \$24,195. Although work programs can save money for both students (through the tuition credit) and the institution (by reducing the need for some staff), the rationale for the concept is far more educational than financial, says college president William "Sandy" Pfeiffer. At Warren Wilson, work isn't a means of purchasing an education. It is an integral part of an education.

"In order for you to be studying, someone has to clean the toilets," says Pfeiffer. "That can be you, or someone else paid to do it. Warren Wilson argues that there's learning that occurs when it's you."

Warren Wilson is one of seven "work colleges" in the United States, all but one in the South. The geographic outlier is Sterling College, in Vermont; the most famous may be Berea College in Kentucky, which serves only low-income students. Warren Wilson is open to applicants regardless of socioeconomic background, and it currently draws its 900 students from nearly all 50 states, plus 10 countries.

The college traces its history back to a school for "mountain boys" in their teens and 20s, founded in 1894. The Asheville Farm School became Warren Wilson Vocational Junior College, named for an early 20th-century leader in the Presbyterian Church, in 1942. (It upgraded to a four-year institution in 1967.) In its earliest days, the college maintained its work program out of eco-

nomic necessity rather than grand pedagogical notions. Students and faculty alike shared the physical work required to keep the school in operation. In recent decades, Warren Wilson dropped its labor expectation for faculty, added a community-service requirement for students, and reaffirmed its commitment to the educational value of work. Today, every student works, studies, and volunteers, a blended experience the school calls "the triad."

Fans of the work college concept—including Richard Freeland, the new commissioner of higher education of Massachusetts—believe it can instill a sense of responsibility, teach life skills, and foster citizenship. They caution that the work college model isn't easy to replicate, but say there are lessons here for colleges in Massachusetts willing to radically re-imagine what it means to educate students for life.

When asked about the value of work, almost everyone at Warren Wilson immediately cites the same benefit. Ian Robertson, the genial, white-haired "dean of work," defines it as a "sweat equity" in their surroundings that teaches them citizenship.

"Students know that if they throw trash down, they or one of their roommates has to pick it up," Robertson says. "And if they're seen, someone will turn around and say, 'Hey, who do you think is going to pick it up?' There are no workers here to pick up after the students." He pauses, and then rephrases the sentiment emphatically. "There are no workers who did not have the privilege of going to college picking up after those who do."

When students first arrive at Warren Wilson's (very clean) campus, Robertson assigns them to a crew. Most freshmen end up in the dining hall or on "Heavy-Duty," the crew in charge of sanitation. After a semester, they can apply for other positions. Some choose a path that integrates their studies and their work, like the environment studies majors who gravitate toward the garden, or the theater enthusiast who does her 15 hours in the school's costume shop. Others, like A.J. Nichols, opt to



Warren Wilson students carry out their chores earlier this spring.

keep them separate. “I’m a philosophy major and I’m a mechanic,” Nichols says, as he leans into the engine of a school van.

Robertson cites several research studies showing that part-time work can enhance, rather than hinder, a student’s academic performance, provided the job requires less than 20 hours a week. Sara Methven, a senior who came to Warren Wilson from Brookline High School, believes work has helped her ward off procrastination. “I have a friend at Columbia who has class from 9:30 to 10:30 and 2 to 4,” says the chatty, dark-haired education major. “I don’t understand that. Having all that free time...” Methven’s voice trails off. “I’d just want to hang out. The work has helped me with time management.”

NOT FOR EVERYONE

Unlike the work-study experience at traditional colleges, work is a part of the school’s fabric here. The school is responsible for making sure students can fit work, academics, and service into their schedules, and professors recognize all three as integral parts of their students’ lives. Still, about 30 percent of incoming freshmen do not return for a sophomore year at Warren Wilson, a rate of attrition that is a few percentage points higher than the national average. The school has taken something of a “if you can’t fix it, feature it” approach to the issue. The motto on all promotional literature is, “We’re not for everyone... but then, maybe you’re not everyone.”

One student says she suspects some applicants visit Warren Wilson, see the large number of shaggy-haired, Birkenstock-wearing kids, and imagine they can “just hang out for four years” in a sort of organic, hippie fan-

tasy. Those students, she says, don’t stay, while those who do stay exhibit a kind of adult ownership in their surroundings, as well as confidence that they have already mastered the balancing act required by the adult world.

Kids joke that the WWC on their sweatshirts stands for “We Work Constantly,” but, in fact, the jobs seem to vary in intensity. On a Thursday afternoon in February,

‘I’m a philosophy major and a mechanic.’

students on the farm crew were shoveling manure into the pigsty nearly until sunset, but a crew in charge of maintaining a science building appeared mostly to be socializing. Students boast that they run the school, but adults confess it’s a little more complicated than that. Several staff members laugh when they describe how time-consuming it can be to, say, get a window repaired, since they rely on student labor for all but the most advanced construction work. Then there’s the work of finding meaningful jobs for everyone in a way that accommodates the academic schedule.

Scott Fair, a gray-bearded former carpenter and artist, supervises “Heavy-Duty,” the crew who cleans the bathrooms and takes out the trash. Getting these essential tasks done with student laborers can be challenging at times. Most students aren’t thrilled to land on his crew; he has high turnover. And because of the academic schedule, he gets his staff in 90-minute time chunks. “It’s not a model of efficiency, but after a while you get used to it,” says Fair. He said that of every 10-student crew (and he’ll have four or five crews a semester), he usually has two or three students who leap into the work, a few who take a little coaxing but then develop a good attitude, and one

Sara Methven came to Warren Wilson from Brookline High School.



or two he will have to keep an eye on all semester.

After five years working at Warren Wilson, Fair has become passionate about the school's mission and sees his supervisory role as, essentially, a pedagogical one. "If you learn how to get up and come to a job you don't particularly like, and do it with a good attitude, you're ahead of a lot of kids," he says, adding that most students are able to meet that challenge. "When these students are adults, they'll have jobs, and be dropping off kids at school and cutting the grass. All the things you do to have a life. The kids who go to a school where all you do is go to class and then drink..." Fair shakes his head. "Work college students are better-rounded."

Pfeiffer, the school's president, believes the challenge of making work educational is what keeps other schools from reaping the benefits. "It's a hard row to hoe," says the Amherst College alumnus, who became Warren Wilson's president in 2006. It means finding and investing in supervisors who both know their trade and know how to teach it. It means getting faculty on board. And it means convincing students to get up at 8 in the morning to work even though at many colleges they can sleep until noon.

While having students do the more menial tasks at school saves money, the more challenging (and popular) crews like forestry, organic gardening, and farming cost money in the form of extra supervisors, safety training, and time lost due to inexperience. Unfortunately for the bottom line, it's the more glamorous jobs that attract students to Warren Wilson in the first place, says Pfeiffer. And some educators say that students get maximum benefits when their work is linked to study, as is the case with all the environmental studies majors working in the garden.

Richard Freeland, who became commissioner of higher education in Massachusetts in January, calls himself "a passionate believer" in the integration of work and learn-

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ing. He would like to see more of the work college spirit in the Bay State but believes that, in addition to logistical challenges and faculty reluctance, plain old snobbery keeps the idea from catching on here.

"It's not what the elite colleges do," he says. "Most of higher education follows the leaders, and everyone wants to look as much like Harvard, Yale, and Princeton as they can. The fact that they aren't doing it says to everyone else down the pecking order, 'We shouldn't be doing it.'"

Freeland distinguishes between two types of work: unskilled labor, like cleaning and trash removal, which he says can teach responsibility and have a maturing effect; and labor connected to a student's coursework, which can teach responsibility *and* offer opportunities for intellectual growth. Freeland says the co-op program at Northeastern University, where he was president between 1996 and 2006, falls in the second category. "When a close relationship is made between the work experience and the classroom experience, there can be tremendous intellectual benefits," he says.

Like Fair, Warren Wilson's janitorial supervisor, Free-

land suspects that work college students are better served than their peers at Harvard, never mind which diploma the world admires more. "The skills you need to be an effective citizen, or worker, go far beyond the intellectual skills we nurture in the classroom," says Freeland. "Therefore, I believe colleges that integrate work and classroom are actually offering their students a far more complete education, and sending them out more prepared into the

Colleges that integrate work provide 'a far more complete education.'

adult world than colleges just offering a straight classroom experience."

As Freeland assumes his new role overseeing higher education in Massachusetts, he says he would like to see more integration of work and the classroom in the Commonwealth's colleges, be it through internships, apprenticeships, or simply asking students to do more of the work of maintaining their school.

"I'm a missionary on this topic," he says. **CW**

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Spending spiral

The cost of special education in Massachusetts is approaching \$2 billion a year, but there is little evidence that the state's huge investment is paying off as hoped

BY JACK SULLIVAN AND BRUCE MOHL

NEARLY A DECADE ago, state lawmakers tried to put the brakes on special education spending. They tightened the rules that determine which students qualify for special education and narrowed the standard for services that must be provided. Their goal was not only to save money but also to prevent the spiraling cost of special education entitlements from derailing the state's education reform effort.

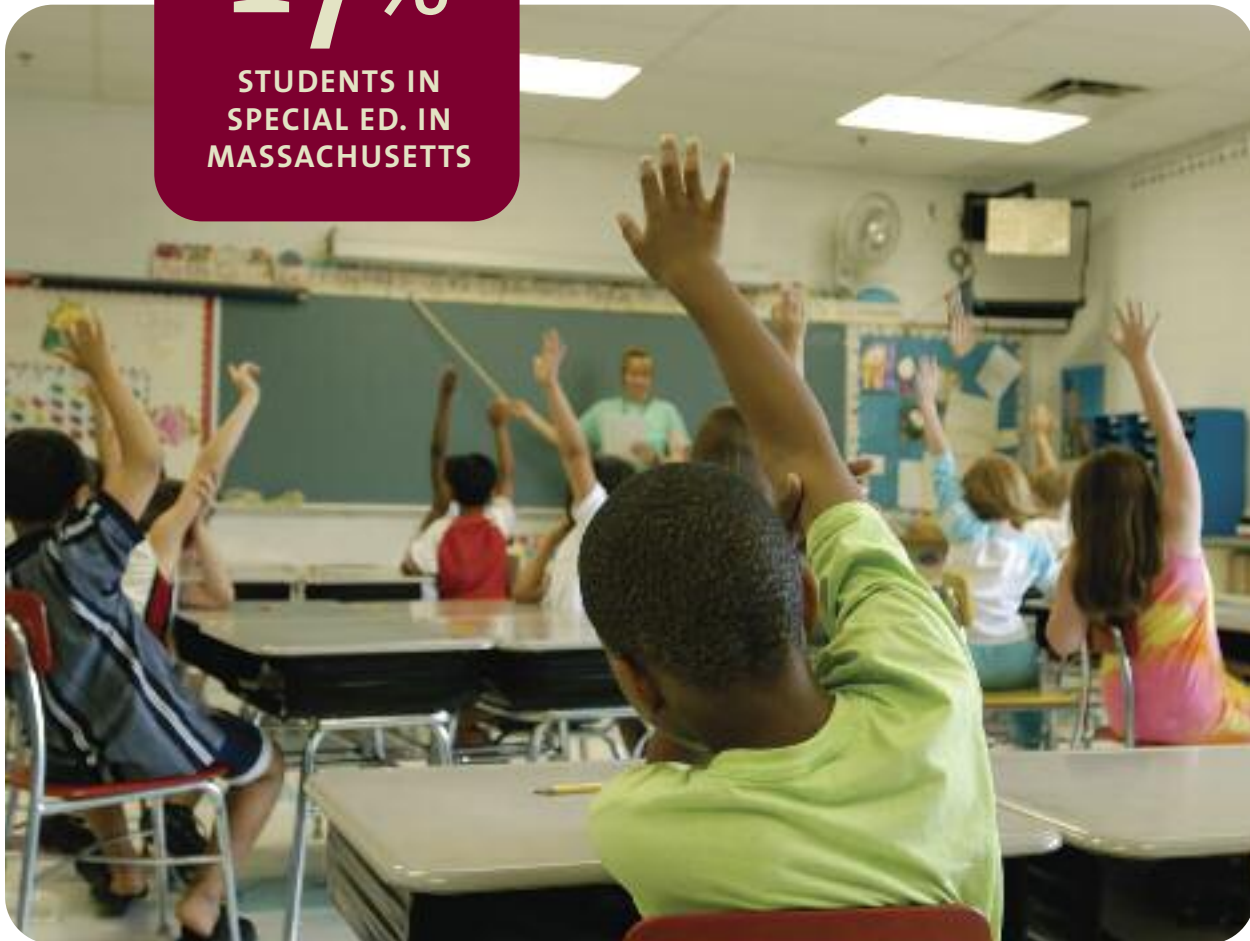
But no one ever checked to see if the brakes actually worked. Indeed, special education—the issue that galvanized debate on Beacon Hill in 2000—is now largely forgotten. Government watchdogs pay little attention to it, and Gov. Deval Patrick's Readiness Project, after 18 months of work, barely took notice of it.

A three-month investigation by *CommonWealth* found what few in 2000 anticipated: The number of special education students, after dropping sharply in 2001, rebounded to near its previous level even as overall school enrollment was shrinking.

Special education children, as a group, are falling further behind their regular education peers every year, and an achievement gap of large proportions has opened between special education students in wealthy and in poor communities.

17%

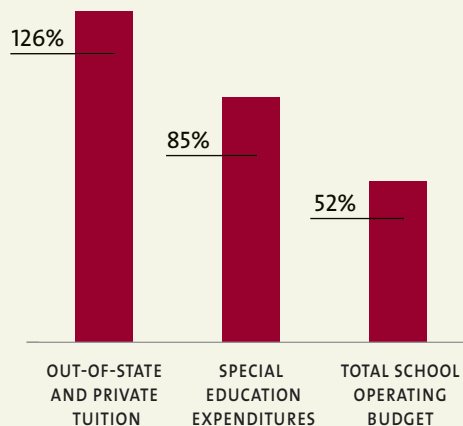
STUDENTS IN
SPECIAL ED. IN
MASSACHUSETTS



The cost of special education in Massachusetts is approaching \$2 billion a year, with roughly \$436 million going for tuition to expensive private schools. The state's private school tab is the third highest in the nation, according to the latest figures from the US Department of Education, trailing only the much larger states of California and New Jersey. Public school administrators say some of the special education students attending private schools could be educated in public schools at a fraction of the cost.

Officials at public schools across Massachusetts say special education—a federal and state mandate that has never been adequately funded by either branch of government—is caught in a spending spiral. In an era of escalating costs and shrinking revenues, local school officials find themselves funneling more and more money into special education, often at the expense of regular education. Educators and administrators say regular education students could find themselves in bigger classes with teachers unable to provide as much individual attention. As children on the margin in these classes fall behind, their parents are steering them to special education for the guaranteed services and mandated smaller classes, which

SPENDING INCREASES IN MASSACHUSETTS, 1998-2008



SOURCE: MASSACHUSETTS DEPARTMENT OF ELEMENTARY & SECONDARY EDUCATION

causes costs to rise and the spiral to begin anew.

Paul Ash, the school superintendent in Lexington, plans to cut his budget by \$1.8 million next year, but, like other school administrators, says that none of the reductions will come out of special education. "You cannot cut special education services," he says. "How do you set up a class of human beings who are entitled to an education [while] everyone else gets what's left over?"

A RISING TIDE

Gayle and Brian Harrold of Westborough are the parents of four children, all of them diagnosed with disabilities. Three of the children receive special education services in the Westborough public schools, and the fourth is bused every day at taxpayer expense to a private school in Acton that specializes in children with emotional disabilities. Gayle says she had to push hard for each placement, especially the one at the private school. "It took a couple years to get that placement, but it was a year and a half too long to get to that place," she says.

Her frustration is typical of parents of special needs

children. They complain that special education laws and the inadequate funding that accompanies them inevitably pit parents seeking the best services for their children against school districts trying to contain costs. But Harrold's frustration also demonstrates how far the struggle of par-

ents of special needs children has come in a relatively short period of time.

Just four decades ago the Harrold children probably wouldn't have been diagnosed, let alone treated. They would have been shunted away in hospitals, treatment centers, or separate classrooms in unused portions of school buildings where learning was never the prime objective. Children with more severe disabilities were

warehoused in places like the Fernald School in Waltham and the Belchertown State School in the western part of the state.

"We would go to Belchertown and there would be all these kids in the back wards, just lying there.... I think that's where the term 'backwards' came from," says a half-joking Lawrence Kotin of Kotin, Crabtree & Strong, a Boston law firm that specializes in representing parents in

Parents were
given the right
to reject the
decisions of
school officials.



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WHO PAYS FOR SPECIAL EDUCATION?

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LOCAL 55.2%

STATE 34.4%

SOURCE: MASSACHUSETTS DEPARTMENT OF ELEMENTARY & SECONDARY EDUCATION

special needs proceedings with school districts.

Kotin and his law partner, Robert Crabtree, were advisors to then-Gov. Francis Sargent when they undertook a study in 1971 to examine educational opportunities in the state for children with disabilities. It was, as Crabtree says, the tail end of the Civil Rights Era, and people with disabilities were the final group to enter that frontier.

Their work resulted in the trailblazing law known as Chapter 766. The state act mandated that school districts provide the services needed to ensure that children with disabilities had the same access to a publicly funded education as their regular education counterparts. Three years later, Kotin and Crabtree helped to develop a federal law, the Individuals with Disabilities Education Act (IDEA). Both measures gave parents the right to reject and challenge the decisions of school administrators.

"It's not something that sits well with administrators," says Crabtree of the strong parental role. Adds Kotin: "There's been tension from day one."

The tension came to a head in the late 1990s, when nearly 165,000 children statewide were in special education and costs were ballooning. House Speaker Thomas Finneran decried the Massachusetts law as the exemplar of a liberal mindset that promised everything to everybody no matter what the cost. A study done for the legislative leadership by the consulting firm McKinsey & Co. concluded that bringing Massachusetts' standards in line with federal law—which guarantees a "free appropriate public education," as opposed to Chapter 766's promise of "maximum feasible" benefits—would reduce the number of special needs students by 30,000 and save \$125 million or more annually. The numbers carried the day. The law passed and the Legislature moved on.

The first year after passage, the number of special needs students fell by 10,000, about 8 percent, but paradoxically the cost of the program rose by 8 percent, or roughly \$100 million. Over the next eight years, the cost continued to climb, and the number of special needs students returned to more than 164,000. Today Massachusetts spends nearly 25 percent of its education budget on teaching and transporting special education students, who represent 17 percent of the student population. (The percentage devoted to special education may change as a result of federal stim-

SPECIAL EDUCATION FACTS:

ENROLLMENT In the school year 2007-2008, Massachusetts had 164,298 special education students. They represented 16.9 percent of the total enrollment in the state.

COST Special education cost nearly \$2 billion during the 2007-2008 school year. The out-of-district transportation cost for special education was \$43.4 million, or an average of \$9,645 per child.

GENDER Boys outnumber girls by 2-to-1 in special education. There are no definitive studies why.

DISABILITIES There are 13 categories of disabilities covered by special education. A category called Specific Learning Disabilities is the largest, representing nearly 40 percent of all special needs students in Massachusetts. Specific Learning Disabilities are defined as disorders affecting a student's ability to "listen, think, speak, read, write, spell, or do mathematical calculations," according to the federal Individuals with Disabilities Education Act. Some of the diagnoses include dyslexia, developmental aphasia, and brain injury.

AUTISM Autism is the fastest growing category among children in special education. According to a federal report last year, children diagnosed with autism in special education programs increased nearly 500 percent between 1997 and 2006. A US Government Accountability Office report says the average special education expenditure for a child with autism is three times the per-pupil cost of a regular education student without any disabilities.

PRIVATE SCHOOLS Special education private school tuitions cost taxpayers a total of \$436 million in 2007. The average cost at a private day school will be \$59,533 next year and \$163,674 at a residential private school. Since 1998, the cost of out-of-state and private tuition has increased 126 percent, while overall special education spending has gone up 85 percent. Total school spending in the state rose 52 percent in that same period.

JACK SULLIVAN

ulus money.) Nationally, special education students account for 13 percent of student enrollment, according to the annual education department report to Congress.

The hoped-for savings of 2000 never materialized for three reasons. First, the wording of the law changed, but the mindset of many parents and advocates did not. Second, lawmakers in 2000 used one hand to tighten eligibility standards and reduce benefits, but with the other hand they expanded the reach of special education to include several types of therapies previously divorced from education, such as speech therapy and occupational therapy. "We've

got a lot of baubles that other states don't have," says Marcia Mitnacht, state director of special education.

Finally, the tide of special needs students keeps rising. Advances in medicine are keeping more babies alive, and many of these children are facing disabilities later in life. Massachusetts leads the nation in early intervention services to children between birth and 2 years old, with 5.5 percent of that age group, more than double the national average, receiving services under IDEA. Last year, the state Department of Public Health referred more than 6,000 children who turned 3 years old to special education programs.

Faced with shrinking revenues and expanding costs, school administrators are forced to fund mandated special education programs and cut everywhere else. Boston, for example, closed a fiscal 2010 budget gap with \$62.5 million in spending cuts, but special education escaped virtually unscathed. Westborough plans to cut 50 school positions next year, but only a handful are coming in special education. In fact, the budget for private special education tuitions is rising by nearly \$400,000.

Gayle Harrold, the Westborough mother of four special needs children, says some parents of regular education students are livid when they see school cuts that don't extend to special education.

"We've literally had other parents say to us, 'If we didn't have to spend money on your special needs kids, we'd have more money for the rest of the schools,'" she says. "I think they don't understand it. I don't complain when we put in sports programs that we pay for that my kids can't participate in."

MORE DATA ONLINE

Data on special education from all levels of government—local, state, and federal—are fragmented, compartmentalized, and, in many cases, inaccessible. This makes analysis difficult, sometimes impossible, which may explain why special education has received little or no scrutiny in recent years from the Legislature, state watchdog agencies, or Gov. Deval Patrick's Readiness Project.

After culling scores of state, federal, and privately funded reports and records, *CommonWealth* created a database of its own. The database has nearly three dozen categories of information for every school district in Massachusetts, including a breakdown of special education spending, enrollment numbers, and MCAS and graduation results. The information is available online at www.massinc.org.

—JACK SULLIVAN

Students in wealthier areas snare more money on a per-capita basis.

TAXPAYER-PAID PRIVATE EDUCATION

The Landmark School in the Pride's Crossing section of Beverly looks out over the Atlantic Ocean and its yearly tuition of more than \$44,000 matches the view. Students come from across the country and around the world to study at Landmark. In sports, they compete against elite private schools such as Concord Academy and Pingree School. In every sense of the word, Landmark is a prep school—except it caters exclusively to children with dyslexia, and roughly half of its 450 students are there courtesy of Massachusetts taxpayers.

Landmark is one of 165 private special education schools and programs in Massachusetts, more than in any state but Ohio and Pennsylvania. The schools vary from the world-renowned Perkins School for the Blind in Watertown to the 60-student Willow Hill School in Sudbury. Tuition can range from under \$27,000 for a private day school to nearly \$300,000 for a year-round residential program.

More than a fifth of special education spending in Massachusetts goes to private schools to educate just 7 percent of the state's special education students. The \$436 million tab has tripled over the last nine years, with students in wealthier communities snaring more of the money on a per-capita basis. School officials say it's a case of the squeaky wheel getting the grease, as wealthier parents are much more aggressive in pushing for services and programs for their children.

Local communities spend another \$43 million a year—an average of \$9,645 per child—to transport special education students to private schools and regional public collaboratives where school districts share the cost of educating special needs children. The transportation cost is so high because a relatively low number of students are being transported door to door, and many require aides to ride with them.

In Westborough, school officials in 2006 reached a settlement with the parents of one child to send him to a collaborative in Lexington for three school years through this coming June. Because the child suffers from cyclic vomiting syndrome, a rare disease that causes violent vomiting, Westborough officials also agreed to provide an aide employed by the transportation company who could administer oral medication if the child became sick on the 70-mile roundtrip to Lexington.

State Education Secretary Paul Reville says special education transportation costs are

bordering on out-of-control. "I had one superintendent tell me he'd be better off paying for a house in another community rather than continuing to transport the child because the cost [of transportation] was more than \$55,000 a year," Reville says.

School districts send special needs children to private schools if they can't provide the services internally or at regional public collaboratives. But determining what is a "free appropriate public education" for an individual student is a judgment call worked out between that student's parents and school officials.

Last year, parents rejected more than 7,400 education plans proposed by school districts. About 15 percent of the disputes were resolved with a confidential written agreement or a decision by the state Bureau of Special Education Appeals or a court. How the remainder were handled is unclear because records are confidential or unattainable, but presumably parents either dropped their objections or reached some type of settlement.

Negotiations between parents and schools can get very expensive. Parents often spend thousands of dollars hiring lawyers and specialists to make their case, while school districts face similar costs plus the prospect of paying the legal fees of the parents if they lose.

The ultimate game of chicken is unilateral placement, where parents don't even negotiate with school districts; they just put their child in a private school and then demand reimbursement from the school district. The practice is so controversial that the US Supreme Court is being asked to decide its legality. The court deadlocked 4-4 last year in a case involving a wealthy businessman who was demanding that New York City reimburse him for educating his disabled son at a \$38,000-a-year private school. Another case, involving an Oregon boy who was unilaterally placed at a \$65,000-a-year private school, is now before the court.

Beverly has seven unilateral placements, all at the Landmark School, according to Debra O'Connor, Beverly's administrator of special education. O'Connor says wealthy parents have moved to Beverly from out of state or even out of the country, enrolled their children at Landmark, and demanded that the town pay.

"Unilateral placement is a game," says O'Connor. "It's like a poker game. You have to have money to play."

Annemarie Cesa, head of the Beverly School Committee, says she recalls one family that moved to town with two special needs children. One ended up going to a residential school in Connecticut and the other to Landmark. The total annual hit for the school district: \$150,000.

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TOP SPENDERS, 2006-2007

	SPECIAL ED ENROLLMENT	OUT-OF-STATE AND PRIVATE TUITION
California	640,041	\$722 million
New Jersey	238,127	\$519 million
Massachusetts	158,906	\$436 million
Connecticut	65,589	\$297 million
New York	429,800	\$260 million
Illinois	306,276	\$242 million
Maryland	99,918	\$240 million
Pennsylvania	277,425	\$239 million
Ohio	251,996	\$158 million
District of Columbia	9,950	\$140 million

Source: U.S. Department of Education, National Center on Education Statistics

O'Connor says the students attending Landmark and a handful of other schools like it could be taught just as well in the Beverly schools. Her counterparts in nearby towns say the same thing; they even say the MCAS results of their students who attend Landmark are subpar. (MCAS results for special education students at private schools are not reported separately, only as part of the student's public school districts.)

School officials say they often give in to demands by parents for private school placements because it's very expensive to challenge the placements and very tough on staff, since parents try to prevail by pointing out how the public school cannot adequately teach their child.

Wayne Ogden, superintendent of Franklin schools, said the legal fees can easily top \$20,000 for a single contentious case. "No matter how right we think we are, we have to think long and hard before we commit to that kind of money and that action," he says. "I suspect there are communities who won't fight."

Some private special education schools don't accept unilateral placements. Ryan Plosker, the founder of the New England Academy, a Beverly special education school that caters to children with social and emotional disabilities, calls unilateral placements an "end run" around the system. "I never want a school district to be blindsided by a unilateral placement," he says.

Robert Broudo, the president and headmaster at Landmark, says he sympathizes with public school administrators—he says one described the flow of money as a "loud sucking sound from my community to your school"—and believes students should stay in their school if at all possible. "But I'd also be the first one to say don't let a

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human life go to waste. Every family that comes through this door says, 'I'm absolutely losing my kid,'" he says, referring to parents with children in public schools.

More than 70 Massachusetts public school districts are sending students to Landmark, and Landmark officials say applications are up 40 percent for next year. Broudo says Landmark is successful because it accepts only a narrow range of children who fit its target profile and then offers intense remediation in every course, something a public school dealing with all types of students can't provide.

Broudo connected *CommonWealth* with a mother who says her son was on the verge of dropping out of his public school when he transferred to Landmark in the 10th grade. The mother, who declined to identify herself or her community, says her son is now preparing to head off to college after scoring high on his SATs.

The mother says her son showed signs of reading difficulties at an early age but she was always told, "He's a boy, he'll outgrow it." In middle school, she says, her son's problems increased. She worked long hours with him, but

his grades deteriorated. She says his school district provided some supports and gave him more time to take tests, but by ninth grade he was failing most of his classes.

"You can give a kid more time to take a test, but if he can't read, he can't read," she says. "He was miserable. We were miserable. He asked me, 'What age can I drop out of school?'"

A town's legal fees can easily top \$20,000 for a single contentious case.

She had her son tested and discovered he suffered from dyslexia. The diagnosis angered her so much she began exploring private schools, a search that led her to Landmark. Once her son was accepted, she placed him there unilaterally, hired a lawyer, and began battling for compensation. The school district eventually settled with her; she declines to provide specifics because she signed a confidentiality

agreement. "They don't want anyone else in town to know about it and go after them for the same thing," she says.

She says her son's turnaround at Landmark has been remarkable. "I'll go to my grave saying that school changed not only my son's life but our life," she says. "I feel bad for the people who don't have the funds to go that route."



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THE HAVES AND HAVE-NOTS

There is little evidence the state's nearly \$2 billion investment in special education is paying off as hoped. According to federal data from 2000, Massachusetts ranked fifth nationally in graduating special education students and had one of the lowest dropout rates in the country. The most recent federal data, in part reflecting the advent of MCAS as a graduation requirement in 2003, show Massachusetts ranking 32nd in graduating special education students, and its dropout rate for those students is the sixth worst in the nation.

MCAS scores, the standard Massachusetts uses to measure progress, indicate that special education students have been treading water academically and falling farther behind students without disabilities. Special education students have showed almost no improvement in English over the last five years, with the number scoring proficient or advanced hovering around 26 percent. In math, the number scoring proficient or advanced has risen from 12.4 percent to 19.3 percent.

Using the same proficient-or-advanced yardstick, special needs children have lost ground to regular education students since 2003. The proficiency gap between students with disabilities and students without disabilities has grown from 43 points to 47 points in English and from 36 points to 44 points in math.

Special education programs were supposed to address the individual learning styles of disabled students no matter where they live, but children from poorer communities post much lower scores on standardized tests, drop out at a much higher rate, and are far less likely to be sent to private schools. Indeed, the lackluster results of special education students as a group are due primarily to the scores in poorer communities.

The achievement gap between special education students in wealthier and poorer communities is highlighted with the state's Composite Performance Index, a number that allows researchers to compare the proficiency of students on MCAS tests with other states' standardized tests. In 2008, Massachusetts 10th-grade students overall posted a CPI of 87 in English and 80 in math, while special education students scored nearly 21 points lower than the statewide average in both subject areas. But special education students in the state's 30 poorest communities, who account for 23 percent of all special education students, scored 24 points lower than the statewide average for all students in both English and math. (Boston falls just outside of the Department of Revenue's list of the 30 poorest communities.) By contrast, special education students in the state's 30 wealthiest communities, who account for 11 percent of the state's special education students, scored just 1.7 points below the overall statewide average for all students in English and beat the statewide

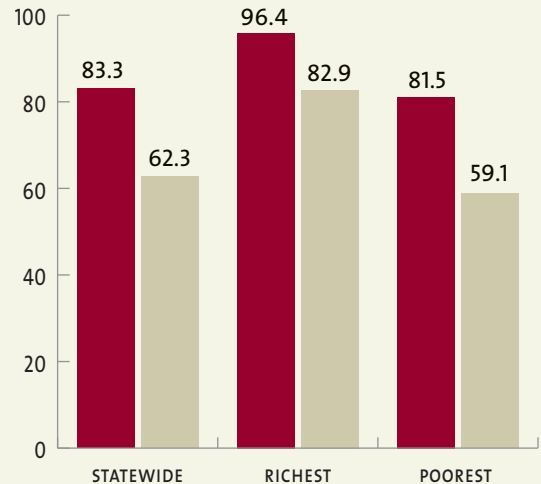
average in math by 1 point.

Graduation rates tell the same story. The five-year graduation rate for Boston special education students was 40 percent in 2008, 30 points behind the city's overall graduation rate. It was 39 percent in Fall River, 37 percent in Springfield, and 17 percent in Lawrence, ranging from 21 to 35 percentage points behind the districts' overall graduation rates. By contrast, the five-year graduation rates in Wellesley, Weston, Cohasset, Harvard, and Hanover all exceeded 90 percent. Harvard and Cohasset graduated 100 percent of their special education students, and the other three rates ranged between 1 point and 7 points behind the districts' overall rates.

Much attention has been focused on the achievement gap between students from wealthy and poorer urban communities, but the gap between special education students from those same communities is about 50 percent wider, according to state MCAS scores. Even within poorer communities, special education students trail much further behind their regular education counterparts than special education students do in wealthier communities.

The cause of the achievement gap—and how to close it—is difficult to pinpoint. Much of it can probably be traced to the poverty and language barriers endemic in

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SPECIAL EDUCATION OVERALL

SOURCE: STATE DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION. WEALTH RANKINGS FROM STATE DEPARTMENT OF REVENUE.

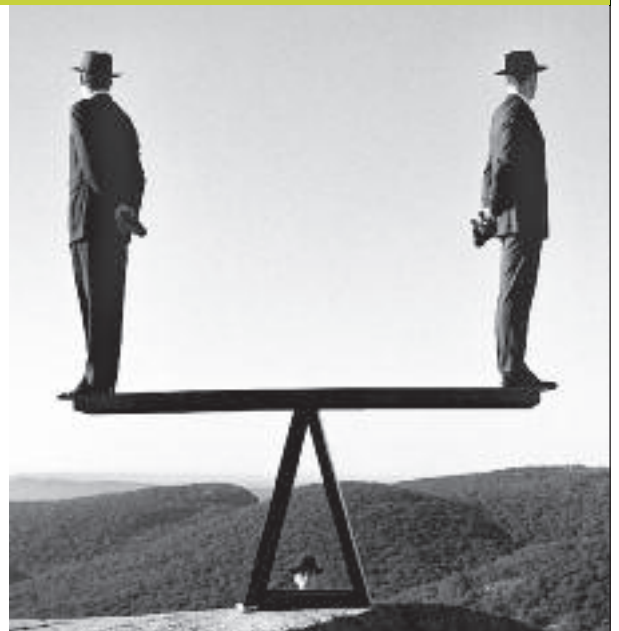
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less affluent communities. Education funding is another factor. The top third of communities ranked by wealth spend nearly 17 percent more per special education student than the bottom third.

There is also some anecdotal evidence that the makeup of special education students in wealthy and poor communities is different. Some school officials say poorer communities tend to have more severely disabled children concentrated in their programs, while wealthier communities have a much broader range of students.

Karla Baehr, a deputy commissioner at the Department of Elementary and Secondary Education and formerly superintendent of schools in Wellesley and Lowell, says identification for special education services can be relative, based on a child's disability and lagging progress in the context of his or her peer group. In a carefully worded statement, Baehr said: "Some students identified for special education services in Wellesley may not have been identified for special education placement in Lowell."

Ash, the Lexington school superintendent, says many special education students he sees are what he calls "curriculum disabled," meaning their academic performance lags behind their peers. He says these students are often diagnosed as having a specific learning disability, a catchall category that encompasses anyone who has difficulty understanding or using spoken or written language. Statewide, nearly 40 percent of special education students have specific learning disabilities, although there is no major difference between wealthy and poor districts.

The most clear-cut difference between wealthy and poor communities is what they spend to send special education students to out-of-district private and regional public schools. Massachusetts communities ranked in the bottom third by wealth spend \$17,005 on average per pupil on private school tuition, communities in the middle third average \$23,861 per pupil, and the wealthiest third of communities spend \$38,237 on average per pupil.

About half the money going to pay private school tuitions comes from the state under its circuit breaker program, which is designed to ease the burden of high-cost special education cases on cities and towns. Wealthier communities are apt to receive a greater share of reimbursement per pupil because they have more higher-priced placements.

School officials say wealthier parents push more aggressively for private school placements. Parents in poorer communities may both be working and have less time and resources to advocate for a private school. They may also come from cultures where the recommendation of a teacher or superintendent is unchallenged because of the authority their positions carry.

Cynthia Joyce spent 22 years as a special education administrator in down-and-out Holyoke before taking

over in middle-income Saugus last summer. It didn't take long to notice a difference. "I'd get calls from parents who'd say, 'I'm calling to put my order in for a day placement for my kids,'" she says. "People were just used to making placements for their kids. I never, in 22 years as a special education administrator, came across it."

In Gloucester, by contrast, special education administrator Joanne Reiss said she's been trying to drum up interest in a state-mandated special education parent advisory council for 11 years. "I just can't get anyone to show up," she says. "They just aren't interested."

At the Landmark School in Beverly, students tend to come from wealthier communities. An analysis of the 2007 school roster indicates 65 percent of the 328 Massachusetts students came from the state's wealthiest communities, more than 25 percent came from the middle third, and just 9 percent came from the bottom third.

"It's haves and have nots. The haves have got to go to Landmark," says Beverly's O'Connor.

'A RUNAWAY TRAIN'

When then-President Gerald Ford signed the federal special education bill into law on November 29, 1975, he was

eerily prescient. "This bill promises more than the federal government can deliver, and its good intentions could be thwarted by the many unwise provisions it contains," he said.

The federal government promised to provide 40 percent of the funding for special education, but its contribution has never risen above 20 percent. It's even less in wealthier states like Massachusetts. In fiscal 2007, 55 percent of Massachusetts special education funds came from local communities, 35 percent from the state, and just 10 percent from the federal government.

President Barack Obama's stimulus package is playing a little catch-up. About \$12 billion is headed for special education, with Massachusetts expected to receive \$280 million over the next two fiscal years and about 85 percent going to local districts. Another \$168 million in stimulus money is going to help some struggling communities avoid steep cuts in their overall education budgets this coming school year, and about \$820 million more in stimulus money is expected for K-12 education over the next two years; the annual sum equals less than 5 percent of yearly education spending in the state. School officials say the one-time infusions of cash are badly needed, but they won't resolve the long-term

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financing problems.

Former state education commissioner David Driscoll, who now works as an education consultant, says the changes made to the special education law in 2000 triggered no real reform and left policymakers with few viable options. "It's very hard to find savings when you have a runaway train," he says.

Many districts are investing heavily in their own special education programs in a bid to keep more children from going to expensive private schools. Lexington has had success in this area, spending nearly \$800,000 to beef up internal special education programs to avoid having to spend an estimated \$1.7 million on private school tuitions. More savings are expected this coming year as the number of special education students going out of district is forecasted to drop again.

Ash, Lexington's superintendent, says this type of investment in special education is very difficult to do. He says the state could help by offering grants to communities that upgrade their programs.

Municipal officials are pushing state lawmakers to revise the circuit breaker formula to increase the amount of overall state funding for special education and to allow reimbursements for special education transportation. The

officials also want restrictions on unilateral private school placements.

State officials are also reviewing legislation that would require health insurance plans to replace schools in covering many of the treatments for autism, the fastest growing special needs disability and one of the most expensive to treat.

Reville, the state's education secretary and a father of two special needs students, says the state is well aware of special education's financial burden on communities. "I've had meetings where superintendents have said, 'Special ed costs are killing me,'" he says. But he adds that new major funding is unlikely.

"This condition of scarcity is likely to persist, and that's likely to heighten the tension between regular education and special ed populations," Reville said. "This is a legitimate financial challenge."

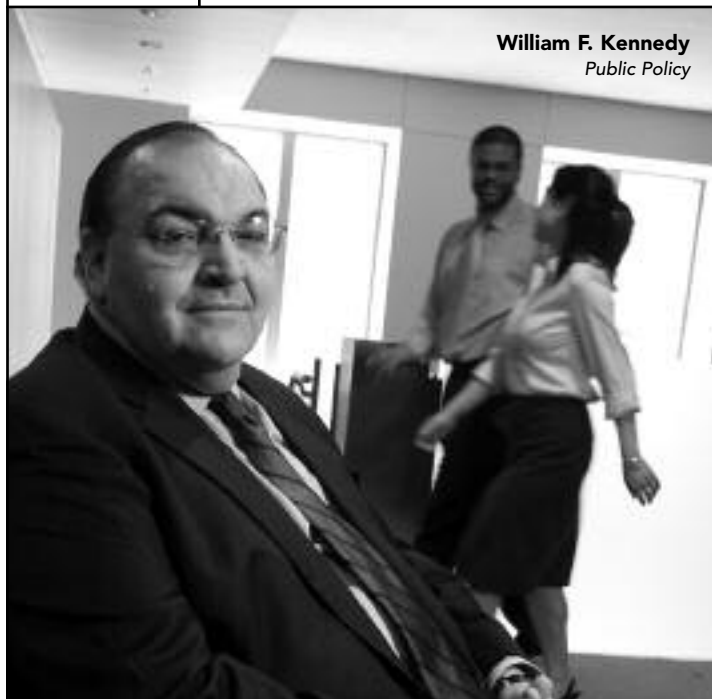
Christine McGrath, the superintendent in Tewksbury, complains about the high cost of special education, but she says policymakers need to keep in mind that special education is pursuing a worthwhile goal.

"We're doing the proper thing for that group of children," she says. "Now we've got to figure out a way to do the proper thing for the rest of the population." **CW**



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Strings attached

With the speaker calling all the shots, freewheeling debate and dissent have all but vanished from the Massachusetts House of Representatives. Is there any hope for democracy in the General Court?

BY MICHAEL JONAS


ILLUSTRATION BY TRAVIS FOSTER

It had been a rough year for Speaker Sal DiMasi, but you never would have known it when members of the Massachusetts House of Representatives gathered on the first Wednesday in January to elect a leader for the new two-year legislative session.

DiMasi spent much of 2008 trying to fend off a steady stream of allegations of ethical misdeeds, including a string of newspaper stories suggesting improper dealings with his personal accountant and longtime friend, Richard Vitale. Although the speaker denied any wrongdoing, his credibility came into serious question a month before the leadership vote, when Attorney General Martha Coakley indicted Vitale and directly contradicted DiMasi's previous claims of having had no conversations with Vitale about pending legislation.

Coakley's assertion seemed to deliver a harsh blow to DiMasi's already shaky standing, but not a word of that could be heard as lawmakers overwhelmingly elected him to a new term as speaker. A total of 135 of the 143 House Democrats offered DiMasi their stamp of approval, with just seven Democrats voting "present" as a sign of opposition to his continued rule and another representative voting for himself.

Less than three weeks later, with fresh questions swirling around his relationship with Vitale, DiMasi announced his resignation in a speech to members that was most notable for its lack of any reference to the controversies that had chased him from power. "I will hold my head high and be proud of everything we did," DiMasi told lawmakers as he became the third

A photograph of Rep. Jay Kaufman, a middle-aged man with dark hair, wearing a dark suit, light blue shirt, and a patterned tie. He is standing in a long, dimly lit hallway with wooden doors and walls, looking directly at the camera with a slight smile.

Rep. Jay Kaufman of Lexington was selected to give a speech nominating Sal DiMasi for another term as speaker.

straight Massachusetts House speaker to be driven out of office with an ethical cloud over his head.

Several House members say they and their colleagues were deeply conflicted over the vote for speaker, acutely aware that the public image of the Legislature, not exactly glowing on a good day, had sunk to new depths as ethics allegations engulfed not only DiMasi but several other House members and two state senators who had been forced from office and were facing criminal charges.

“Believe me, I was absolutely tortured over this thing,” says one Democratic lawmaker, who, like nearly all of those speaking candidly about the leadership vote, asked not to be identified. “It was not anything I’m proud of.”

But the inclination to follow the leader and stick with the crowd has become an increasingly powerful force in the Legislature, and the embattled House speaker made it clear to members in the days leading up to the vote that he wanted a strong show of support. Not only were all the leading reform voices in the Legislature backing DiMasi, two of them, Ellen Story of Amherst and Jay Kaufman of Lexington, were even selected by DiMasi to make nominating speeches on his behalf, part of an orchestrated show to dispel any idea that process-minded liberals might be losing faith in the speaker.

“The fact that virtually every self-professed ‘good government’ Democrat voted to reelect DiMasi just days after the attorney general shredded his credibility was, to be kind, an embarrassment,” says Jim Braude, the one-time liberal activist who now hosts an NECN television news program and co-hosts a radio show on WTKK-FM. “The sense was, ‘Unless he’s indicted, convicted, and jailed, he’s our man.’

I’m not troubled as much by DiMasi’s self-delusions as I am by how utterly compliant legislators have become. They just get in line.”

Indeed, not just on the speaker’s vote, but on nearly everything that transpires in the House, legislators seem to endorse the leadership position with little dissent or debate. The high tolerance for troubling questions about the ethical conduct of the speaker was bad enough. But it only serves to underline a broader point about the state of democracy in the House. Though they are elected to speak out and exercise their best judgment on matters facing the Commonwealth, state representatives all too often operate like loyal foot soldiers in an army where the speaker serves as the top general.

State reps act like loyal foot soldiers in an army where the speaker is the general.

DiMasi’s replacement as speaker, Robert DeLeo, has shown some early signs of opening up the House to more of the debate that ought to characterize a vibrant legislative body, and there is at least a glimmer of hope for a turn away from the top-down model that has prevailed in recent years. But even good intentions could easily be dashed by a go-along culture that has firmly taken root, and the near

disappearance of Republicans from the Legislature and an ever-shrinking Beacon Hill press corps only make it easier to maintain the speaker-dominated status quo.

POWER CENTRAL

On a dank Wednesday in mid-March, people crowded the House chamber and visitors' gallery to attend a memorial service for George Keverian, the former House speaker who died on March 6 at age 77. If there was a House leader who represented the fullest expression of the free-wheeling democracy that has lately been in such short supply, it was Keverian.

The genial Everett lawmaker led the only successful toppling of a House speaker in state history when he ousted Thomas McGee in 1985. Keverian vowed to bring a dramatic infusion of democracy to a House that had been dominated by McGee's autocratic rule. "I believed that a 160-member House meant 160 members fully contributing," Keverian later said to John McDonough, who was writing an appreciation of his former House colleague for *CommonWealth* ("The Speaker Who Believed in Democracy," *CW*, Winter '02). True to his word, Keverian's reign was marked by lengthy debates and lots of involve-

ment by rank-and-file members.

As Massachusetts fell into a deep recession and the state faced a huge deficit in the late 1980s, many criticized Keverian for not applying a firmer hand to his unruly chamber, where democracy sometimes took a turn toward anarchy. But the House ultimately did sign off on unpopular tax increases and budget cuts, the first steps on the road to getting state government and the Massachusetts economy back on their feet.

Since then, a succession of House speakers have tightened the leadership reins. Charles Flaherty, who followed Keverian, struck something of a balance between total control and his predecessor's discipline-free style, in which even some of Keverian's committee chairs voted against the tax increases the speaker supported. Committee chairmen under Flaherty exercised a great deal of latitude over issues under their jurisdiction, but Flaherty wasn't afraid to let them know when they were expected to fall in line on a key vote. However, the leaders that followed—Tom Finneran, who was in control from 1996 until 2004, and then DiMasi—moved to centralize power to a far greater extent, with debate discouraged and committees marginalized as important bills were often written in the speaker's office.

"I've been here 15 years, and there's been a pattern over



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that time that individual members have had less and less input and less and less involvement in the final decisions,” says state Rep. Harriett Stanley, a West Newbury Democrat. “The trend has been toward consolidation of power, and if you were not part of that trend, you were considered part of the problem,” she says of those who stepped out of line.

When DiMasi followed Finneran into the speaker's post, he had the backing of nearly all the small group of 15 to 20 liberal Democrats who had regularly battled Finneran on everything from his tight-fisted control over House procedures to his more conservative policy agenda. DiMasi rewarded several of Finneran's leading critics with committee chairmanships, and he pledged a new era of openness in how the House would do business. It was not the most natural posture for the longtime North End lawmaker, known more for his affinity for hardball politics and backroom power plays than for any kind of reform impulse. DiMasi did tilt the House to the left, championing the state's landmark health care expansion in 2006 and helping to defeat an effort to put a constitutional amendment to ban gay marriage on the ballot. But when it came to his approach to the workings of the House, DiMasi's talk of a more open process was mostly just that.

“Sal's overall liberalism served to buffer him from any criticism over the fact that he had a very top-down management style,” says Stanley.

“The people who were most vociferous [about centralized power] under Finneran were co-opted by the fact that those public policy matters that they cared about would be brought to the floor,” says Frank Hynes, who gave up his Marshfield-based House seat last year after 13 terms in office.

Even one of those liberal DiMasi loyalists, Lexington's Jay Kaufman, who served as chairman of the Public Service Committee under the former speaker, concedes that the flourishing of democracy that some had hoped for did not exactly blossom under DiMasi's watch. One measure of democratic vitality is “whether chairs of the various committees are actively engaged with the speaker in vetting issues and establishing priorities,” says Kaufman, as opposed to the speaker making unilateral decisions. “I would have wished Sal did that more consistently.”

NO CHECKS, NO BALANCE

All sorts of dynamics, large and small, have helped to concentrate power in the speaker's hands—and keep House members out of the loop. Among them are things as seemingly mundane as uncertainty over when the House will be holding formal sessions and what matters will be taken up. Even when such sessions are set, the established starting time is often not honored, leaving lawmakers in



"Whatever power the leadership has...is only the amount of power we give them," says Rep. Carl Sciortino of Medford.

the lurch for hours, wondering when the House will get down to business.

And when it comes time for business, the speaker has well over half the votes he needs simply by turning to those who owe their higher standing—and pay—to his benevolence. There are 53 Democratic representatives who earn extra pay, ranging from \$7,500 to \$25,000 on top of their base salary of \$61,440, by virtue of appointments by the speaker as committee chairs, vice-chairs, or other leadership posts. That means the speaker needs only 28 votes outside his designated leadership team to assemble a majority in the House.

Playing further to the speaker's advantage is the virtual lock that Democrats enjoy on seats in the Legislature. In the 160-member House, there are now just 16 Republicans, six fewer than their already anemic number at the start of the decade. The almost complete disappearance of Republicans from the House means there is no built-in check on the power of the Democratic majority.

"It's embarrassing, our number right now, it's unacceptable," says Rep. Lewis Evangelidis, a Holden Republican. "There's not enough discourse [on issues], and part of the blame for that is us."

Not only does the one-party tilt mean the handful of House Republicans are easily ignored, it has the same effect on rank-and-file Democrats, whose swollen numbers mean that none of them hold much sway over the actions

of the body.

"If the speaker has 146 reps in his caucus, he doesn't need all of us to get things done," says state Rep. David Torrisi of North Andover, one of the seven House Democrats who voted "present" in the January vote to reelect DiMasi, and the only member to do so who held a chairmanship under DiMasi.

The paucity of competitive legislative elections—Massachusetts ranked last in the percentage of seats contested by both major parties last year—removes another check on the default position of deference to House leadership. "Accountability and who one has to answer to as an elected representative comes from two sources: the electorate itself and the leadership within the legislative body, and there is [now] greater fear about being held accountable by the leadership than the electorate," says Paul Watanabe, a UMass–Boston political scientist.

There is also a lot less to fear from the press. Local television news stations long ago pared back regular coverage of Beacon Hill. But the State House is now witnessing a withering of the ranks of print journalists, the mainstays of state government reporting, as newspapers contend with a freefall in advertising revenue. The *Boston Globe*, which once had as many as five reporters in its State House bureau, now has just three. The *Boston Herald* is down to one State House staffer. Many smaller papers have pulled up stakes from Beacon Hill altogether, the latest being the *Cape Cod Times*, which laid off its State House reporter in March.

"When I first became a rep, when the editor of the Lawrence *Eagle-Tribune* called you, you shivered in your boots," says Torrisi, whose district includes sections of Lawrence. "The *Eagle-Tribune* doesn't even have a reporter up here anymore. The decline of newspapers and the media

Appointments to leadership posts mean extra pay for 53 Democrats.

in general has a big impact. It prevents us from getting our message out, and it makes us less accountable."

MEMBER MOXIE

Against that backdrop, it's no wonder that the workings of the Massachusetts House have veered so far from John Adams's concept of a place for vigorous debate of ideas. One factor making it difficult for members to have sub-

stantive input on legislation is the practice in recent years of releasing the details of a bill to the members in a closed caucus and then moving directly to the House floor for formal consideration of the legislation.

"We would routinely get a bill the day we were voting on it under Sal. That was just standard operating procedure," says one House Democrat. "You did not get information in a timely way, and lack of information allowed Sal to control the outcome a lot more."

"There are often questions asked on the House floor that are so elementary to the bill we are considering that it is clear people have not had time to prepare," says Evangelidis, the GOP lawmaker.

And once a bill gets to the floor, says Hynes, the former Marshfield lawmaker, pushing for a vigorous debate on its merits can almost seem like an act of insubordination. "The less debate you have, the more [it is that] when you have debate, you have this sense of tension," says Hynes. "And it becomes a vicious circle. That's why when there is debate, it's almost like some in leadership say, 'What the heck is going on here? Why are you causing this stress and tension?'"

John Quinn knows something about causing stress and tension in the House. The Dartmouth Democrat caused a stir last year when he lit into DiMasi on the House floor for

inserting a last-minute amendment into an energy bill that would have smoothed the way for a wind farm in Buzzards Bay, where a close friend of the speaker's, Boston developer Jay Cashman, was aiming to install 120 offshore turbines.

"It was total disdain for impacted members," Quinn says of the maneuver, which took place after a deadline had passed for submission of amendments. "It was to me the most substantial piece of that whole bill, and it wasn't subject to any vetting. It was never part of any hearing process at any level."

The House unwittingly signed off on the amendment by voice vote, but under pressure from Quinn, other South Coast lawmakers, and environmental groups, DiMasi later agreed to a reconsideration of the bill. The Legislature ultimately agreed to language that softened any unilateral right to locate wind turbines in Buzzards Bay and along other areas of the state coastline.

Quinn ripped DiMasi for his legislative tactic, quoting from the speaker's address to members upon taking the leadership reins in 2004, when he promised a new day of openness and transparency in the House. The State House News Service called Quinn's diatribe "the most mutinous floor speech of the DiMasi era," and reported that some members quipped afterward that the House would that

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day “adjourn in memory of John Quinn,” an honor usually reserved for public servants who have met with corporeal demise.

That such a challenge to the speaker’s position would elicit a round of gallows humor was at least partly a function of the harsh tone of Quinn’s attack. But it also may have reflected the fact that it has just become so unusual to have spirited debates in the House at all, especially those in which Democrats question their leaders.

That reality came as something of a surprise to Carl Sciortino, who was elected to the House in 2004 and took his seat three months after DiMasi became speaker. “Obviously the policy outcomes were different than under Finneran, but it wasn’t quite what I expected,” says Sciortino, a liberal Medford Democrat who ousted a conservative Democratic incumbent. “It wasn’t as healthy a small ‘d’ democracy as I hoped.” But neither, he says, was the potential for a vigorous give-and-take quite as limited as some may believe.


“It was a self-fulfilling prophecy among members who felt it was safer to lay low and go with the flow at times,” Sciortino says of the tendency not to raise questions. He says there were plenty of forces working against a true deliberative process, including the simple lack of details about bills that cleared committees and could wind up before the full House. Sciortino and fellow House member James Eldridge decided earlier last year to try to fill that information gap—and promote progressive policy initiatives—by starting an informal caucus of liberal-leaning members that they dubbed the Democratic Study Group. The group holds sessions to discuss pending legislation and to hear from experts on issues ranging from taxation to environmental policy.

Last spring, as DiMasi was pushing a bill that would close a loophole in corporate tax laws but also lower the overall tax rate for businesses, the sessions wound up serving as an information clearinghouse and organizing base for a countereffort to close the loophole without as steep a decrease in the tax rate. Sciortino, Eldridge, and a group of like-minded colleagues assembled fact sheets on the corporate tax issue, shared talking points with each other, and aggressively lobbied fellow House members.

By the time lawmakers gathered in an early April caucus to discuss the bill before it went to the floor for a vote, Sciortino and his allies had enough votes to prevail. “In the caucus DiMasi said, ‘So, Sciortino, that’s your amendment?’ I didn’t know whether to say yes, it was, or duck,” says Sciortino. He confessed to it being his handiwork, and was then somewhat surprised by the speaker’s reaction. “He said, ‘Well, congratulations,’” says Sciortino, who took the remark to be “a moment of respect for the work we had done.”


For Sciortino, the experience carried an important les-

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son. “Whatever power the leadership has in debates in the House is only the amount of power we give them,” he says. “It literally is the job of every member of the House to ask questions, to engage in debate, to push back when we have a disagreement. If things move too quickly or people don’t have enough information, it’s because we let it. I think it’s our job to change that culture.”

CHANGE AT THE TOP

When Robert DeLeo, the Winthrop lawmaker who chaired the House Ways and Means Committee under DiMasi, was elected to the speaker’s post in late January, the media pounced on the development as great news for proponents of expanded gambling in the Bay State. DiMasi, who vehemently opposed expanded gambling, delivered a knock-out punch to Gov. Deval Patrick’s proposal for three full-scale casinos last year, leading the effort that killed the bill with an overwhelming 108-46 vote of the House. DeLeo, whose district includes both the Wonderland greyhound track and the Suffolk Downs horse-racing track, has been a strong supporter of licensing slot machines at the state’s racetracks.

“Isn’t it odd that casinos were dead because DiMasi was speaker and didn’t like casinos? Now with a new speaker there’s all this talk about gambling,” says Barbara Anderson, the longtime director of Citizens for Limited Taxation. “What happened to the other 159 House members?”

All the talk about the suddenly changed odds for gambling legislation was a quick reminder of the degree to which big policy matters in the House can rise and fall based on the whims of the one member who holds the gavel.

Still, DeLeo is showing some signs, in word and deed, that he is ready to see a little more give-and-take in the House. Lawmakers who backed DeLeo in the leadership contest with former majority leader John Rogers describe him as someone who does as much listening as talking and whose low-key style is well-suited to sharing some of the stage with colleagues who are serious about digging into the work of the House.

“I want every issue to be dissected and redissected in different ways and to hear from everybody,” says DeLeo. “We have a lot of talent now in the chairmanships. I hope they’ll use that talent and energy to create good legislation.”

DeLeo has put in place a roster of committee chairs that includes several lawmakers known for their sharp grasp of policy—and a willingness to speak their minds. Among them is DeLeo’s most important appointment, Rep. Charley Murphy, who was tapped to chair the powerful Ways and Means Committee. Though the Burlington lawmaker’s politics are centrist, he made waves during Finneran’s tenure when he joined with the band of liberal lawmakers who regularly challenged the speaker’s

tight rule over the House. After two straight speakers who maintained an extraordinarily tight grip on power, Murphy says it is time to have “the pendulum swing a little the other way.”

Further encouraging that pendulum swing may be the fact that DeLeo had the backing of many of the same “process liberals” who supported DiMasi five years ago—and hoped for a more democratically run House.

DeLeo has already made one small, but significant, move that suggests he’s serious about providing a little breathing room for input on bills before the House. The new speaker has said that legislation will no longer be rolled out in a House caucus and brought to the floor for formal consideration on the same day.

“We’re actually going to have time to read bills, file amendments, have debate, so we know what we’re doing,” says one Democratic lawmaker who was a DeLeo supporter in the speaker’s contest. “We’re going to have more of a role to play. But guess what? That means we’ll have to do more work,” says the lawmaker, adding that some colleagues have been content to defer decision making, and all the heavy lifting, to leadership.

DeLeo seems mindful that he has set expectations of change in motion, and perhaps he is even a little uneasy

about that. At a lunch forum in early March sponsored by a Boston public relations firm, John Henning, a longtime Boston television news reporter who was serving as moderator, suggested to DeLeo that he seemed to be turning toward a more decentralized leadership style. “We don’t want to change that too much,” DeLeo joked, according to State House News Service. “Calm it down a little bit, John.”

DeLeo, a moderate Democrat with an everyman demeanor, hardly seems to be a guy bent on leading a revolution. But even a few steps in the right direction raise hopes at a time when expectations for democratic give and take have been so low.

“There’s a long way to go for openness in the Massachusetts House,” says Pam Wilmot, executive director of Common Cause of Massachusetts. “So many decisions have been made in the speaker’s office with minimal involvement of others. I think there’s a tendency for any leader, whether in politics or anywhere else, to control information, to control decision making. To have more openness there has to be more pressure from the bottom, pressure from the outside.”

That means how things shake out ultimately will depend as much on what House members are willing to do as on what their new speaker says. **CW**

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The shape of watts to come


Energy efficiency and renewable power sources may be the future of electric power, but fossil fuel plants haven't run out of steam

BY GABRIELLE GURLEY

PHOTOGRAPHS BY MARK MORELLI

Leonard Bicknell confesses that he's a nut about consuming less energy, even if it costs him more to do so. Over the years, the South Shore heating oil dealer has super-insulated his house, installed magnetic interior storm windows, and switched over to a solar water heater. So when the electric utility NStar offered Marshfield residents the opportunity to

Solar panels generate about half the electricity used in Leonard Bicknell's Marshfield home.



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install solar panels on their homes as part of a town-wide pilot program, he jumped at the chance to reduce his carbon footprint even further.

Now 18 dark-blue photovoltaic panels are perched on the roof of his cedar-shingled garage. Costing roughly \$9,500 (after discounts, rebates, and tax breaks), the solar system makes about half the electricity used by the three-bedroom Cape. After Bicknell saw his monthly NStar bill fall from as much as \$160 to as low as \$40, he and his wife, Dolly, became even more attentive to turning off lights and computers. "We started thinking about 'What is electricity, why are we using it?'" says Bicknell.

Bicknell is part of a voluntary \$4 million program in Marshfield that has three distinct but connected goals: reduced electricity usage, a greater role for renewable energy, and better control of energy usage during periods of heavy consumption. Solar installations have gone up on 36 homes, businesses, and municipal buildings. Some 500 thermostats, allowing NStar to turn down a home's air conditioning when demand is at a peak, have been distributed. Energy audits, rebates, and other services have been made available to 1,200 homes and 100 businesses.

The Marshfield experiment, continuing through the summer, is becoming a prototype for the greening of Massachusetts. NStar and its partner, the Massachusetts Technology Collaborative, are trying to find out whether a focused program in a single community can reduce peak energy demand. With 8,900 households and 250 businesses, Marshfield currently reaches its peak demand of about 25 megawatts for just 30 hours per year. If the town can slice 8 percent, or 2 megawatts, off that peak demand, NStar can avoid making expensive upgrades to its circuitry infrastructure in the area. It can also demonstrate the potential to cut energy demand in communities across the state.

Other initiatives to cut electricity usage are also in the works. Under the Green Communities Act signed into law last summer, 25 percent of the state's electricity load must be met by energy efficiency and other demand management programs, and 20 percent by renewables and alternative energy sources—all by 2020, just 11 years away. The law also calls for a reduction in statewide energy consumption, including electricity, by 10 percent in less than a decade.

The ultimate goal is to curb demand for electricity while cultivating renewable sources of power—all with a view toward reducing carbon emissions and shaking off our dependency on fossil fuels. It's a lot like the goals of a diet: cutting back, eating better, and living longer.

"We as a society have been eating at the all-you-can-eat buffet for too long, and we need to get a lot more disciplined about consuming the amount of energy or calories that we really need to make our lives work," says Philip Giudice, the commissioner of the Massachusetts



"You need a balanced portfolio," says Angela O'Connor of the New England Power Generators Association.

current economic downturn, electricity demand had been growing by about 2 percent per year in the Bay State, according to the US Department of Energy. But it's not the usage spread out over the course of year that causes headaches for the electricity sector. The challenge is furnishing a reliable supply of electricity that can meet "peak," or the demand upon the electric grid during those few New England summer days when temperatures soar into the 90s, sending air conditioners and pool filters humming.

And meeting the peak has created a role for generating facilities that usually run only during periods of increased demand, when other plants have trouble keeping up. Those plants, known as peaking power plants, are essential to electricity generation.

Building to peak is one of the perversities of our electrical system, says state Secretary of Energy and Environmental Affairs Ian Bowles. "We build cathedrals for Easter and Christmas, when you have a thousand people who come

to the church, when on [any] given Sunday it might be 100 people who come to the church," he says.

The economic downturn may have slowed annual

Department of Energy Resources.

But this green power push doesn't mean Massachusetts won't have to build any new fossil fuel power plants.

Saving energy will only get us so far, and not everyone is convinced that we will stick to our energy diet. So electricity generation companies continue to plan for and build new fossil fuel plants—though more efficient ones, to be sure—to keep air conditioners humming in July. Everybody loves to put windmills and solar panels on their roofs, says Robert Rio, a senior vice president with Associated Industries of Massachusetts, "but nobody wants to disconnect from the grid."

MEETING THE PEAK

Massachusetts has long been a national leader on energy policy, but the Bay State hasn't been immune to the McMansion and SUV craze that has come to symbolize America's hitting the snooze button on energy conservation—as a way of putting off the inevitable. Before the

The challenge is to ensure a reliable supply of power for those few days when temperatures are in the 90s.

electricity demand: ISO New England, the nonprofit entity that operates the regional electric grid and electricity market, has lowered demand projections for this year and next. But summer peak demand continues to show slow growth. ISO New England projects summer peak demand in Massachusetts to grow by a compound annual growth rate of 1.3 percent over the next decade.

There is no "panacea" to meet this still-growing demand, says Angela O'Connor, president of the New England Power Generators Association. "You need a balanced portfolio,"

she says. "It's no different than your stock portfolio. You need base load generation, you need demand response, you need energy efficiency. You need peaking [power plants] that are expensive to run—but, boy, oh boy, when you need them, they can come on in a nanosecond and keep the lights on."

CHANGING HABITS

Conservation used to be the name of the game. Leave the room, turn off the lights, and you're good. "I think of Jimmy Carter. You go around putting on more sweaters," says Penni Conner, the NStar vice president who oversees the company's energy efficiency programs. Yet pulling on cardigans in the age of climate change doesn't go far enough. Now the buzz has shifted to energy efficiency. It's a more aggressive strategy that gets consumers to rethink their overall energy usage, from switching out incandescent for fluorescent light bulbs to buying energy-saving appliances.

"We need to be thinking about a bridge strategy to ensure that we can meet the market demand and deal with the transition to various clean technologies to reduce carbon emissions," says Tom King, president of National Grid US.

Energy efficiency is one part of the Bay State's multi-pronged "bridge strategy." The state has met about one-third of its increased electricity demand through efficiency measures over the last decade. Massachusetts spends \$125 million each year, or about one-fourth of a penny collected from every kilowatt hour distributed by electric utilities, on energy efficiency programs. That means ratepayers have invested \$371 million in energy efficiency between 2003 and 2005, helping to save gigawatts of electricity and tons of carbon emissions.

Renewable power is also getting substantial support. The Bay State was the first in the country to require utilities to obtain a specific percentage of electricity from renewable sources. This year, those standards require utilities and other electricity suppliers to obtain at least 4 percent of their power from renewable sources—with the mandate rising by one percentage point each year until at least 2020.

The Regional Greenhouse Gas Initiative also finances state energy programs. Two years ago, Massachusetts joined the mandatory cap-and-trade system under which 10 Northeastern and Mid-Atlantic states have agreed to a 10 percent reduction in carbon dioxide emissions from fossil fuel plants by 2018. So far, two auctions of emission



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allowances have netted Massachusetts nearly \$30 million to plow back into energy efficiency and renewable power projects. (The Obama administration is working on a similar federal system.) In addition, under the recently passed federal stimulus package, the Bay State also could see up to \$300 million in federal energy block grants.

Energy efficiency and renewables are also gaining a

The 'bright spot' in a bad economy is slower growth in electricity demand.

toehold in the forward capacity market overseen by ISO New England. The organization runs auctions as part of its plan to meet electricity requirements three years in the future; suppliers bid for the right to provide those resources when needed. In the first-ever auction, held last year, 75 percent of the awards for new energy resources in Massachusetts went to energy efficiency plans and other

projects designed to reduce demand rather than build additional power plants. In the second auction, also last year, 98 percent of the awards went to new demand reduction plans, with the remaining 2 percent going to new renewable power projects.

State officials see those marketplace developments as healthy signs that when energy efficiency competes with new power generation, efficiency wins out, which may go a long way toward holding Massachusetts to zero, if not negative growth.

But is energy efficiency really winning? That's still playing out in the electricity marketplace. A certain amount of energy efficiency is more cost-effective than traditional generation, according to Gordon van Welie, president and chief executive officer of ISO New England. What we don't know yet is how much energy efficiency is out there—that is, how much is economically viable. The market "will decide at what point an incremental cost of a unit of energy efficiency crosses over and becomes more expensive than an incremental unit of traditional generation," he says.

Then there's another wildcard: economic recovery. The bright spot in the recent downturn, if one can call it that, is that the slump dampens down growth in overall



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electricity demand. But as the recession ebbs, how new economic growth will affect electricity demand is the great unknown. Consumers could embrace the new frugal ways or they could just as easily get reacquainted with their inner energy hogs. Compliance could also be an issue; Massachusetts homebuilders are already bristling over proposed energy codes for new construction that they say would raise costs and provide little in savings to buyers.

There's also the next big thing, plug-in hybrid electric cars. The vehicles will have to connect to the electric grid. If they become wildly popular, they could throw a wrench into the works. "If you wish to see a future with a high penetration of electric vehicles and you wish the power source to be carbon-free, then there's a lot more infrastructure that needs to be built to support all of that," says Van Welie.

OUT WITH THE OLD

There was a mini-boom in the construction of natural gas-fired plants in the 1990s, but other plants are getting on in years. According to data furnished by the state Department of Energy Resources, of the nearly 90 fossil fuel units (a power plant can house one or more electricity producing units) currently operating in Massachusetts, about one-third, representing thousands of megawatts, are more than 40 years old. And the likely successor to any antiquated fossil fuel plant, and the megawatts that go offline, is another fossil fuel plant.

Natural gas is still the fossil fuel of choice in Massachusetts, providing about 40 percent of all electricity. It's cleaner than coal, and natural gas plants are cheaper to build than coal ones, but they are also more expensive to run, leading to higher electricity prices.

There will always be fossil fuel plants of different varieties for the foreseeable future because of the need to replace capital stock, according to Bowles. "I think it's fundamentally the wrong question to say an investment in energy efficiency means we won't be creating new power plants, because you will always be creating new power plants regardless of what you do on energy efficiency," he says.

The inconvenient truth is that the state doesn't decide which plants get built, the marketplace does. Chalk that up to deregulation.

Electric utilities used to do it all. They owned the power plants, distributed the electricity, and maintained the wires bringing power to the homes, business, and factories in their service areas. Under this centralized planning, utilities had to justify a new plant to state officials, since the costs of building the plant would be passed onto ratepayers.

Since 1997, utilities have continued to distribute electricity, but they no longer own plants. Today, power generation developers bid into the forward capacity market and, if their bids are accepted, take the associated investment risks of building a facility. So the nine fossil fuel-based projects that are in various stages of the permitting process today in Massachusetts must undergo an environmental review process, but they are not required to demonstrate need for the electricity.

Still, conventional power developers will have to hedge their bets as more stringent environmental and carbon emission regulations add compliance burdens and fossil fuel plants become more expensive to operate, forcing some generators out of business.

Society is at a crossroads when it comes to electrical power from natural gas, says Seth Kaplan, vice president for climate advocacy at the Conservation Law Founda-

Natural gas still provides 40 percent of electricity in Massachusetts.

tion. "Ten years in the future, will it make sense to build a...natural gas plant? I'd say absolutely not," he says. "Do we need it now? I'd say it's a close call."

Though fossil fuels plants occupy an important niche in the short term, the future is uncertain. The key to reducing their role in the electricity mix is renewable power. Former vice president Al Gore wants to see the US move to clean carbon-free sources and produce 100 percent of its energy from renewable sources within a decade. (That's an ambitious timetable that the state isn't even trying to match.) Renewable power also leaves a role for traditional plants. Since the sun doesn't always shine and the wind doesn't always blow, that makes producing electricity with renewable power problematic. Viable cost-effective solutions to store wind and solar are in the works, but until such technologies are widely deployed, conventional facilities must fill the gaps. The expense of developing renewables, particularly solar, is also frequently cited as an obstacle. However, as more renewable power sources join the fuel mix, power prices may drop.

A BRIGHTFIELD IN BROCKTON

At first glance, you'd think a sculpture garden had sprung up not far from downtown Brockton. But tilted skyward are more than 1500 solar panels mounted on silver

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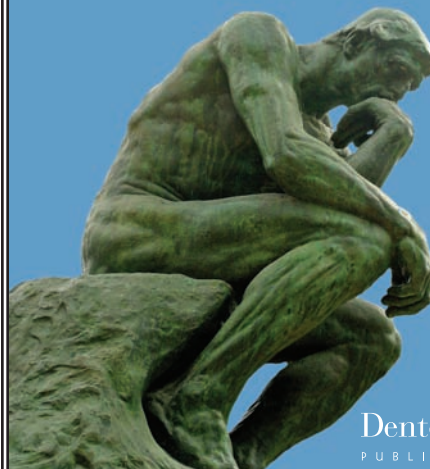
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Brockton hosts the largest brownfield-turned-brightfield in the US.



metallic frames evenly spaced across a raised field of stones and processed concrete. The edge of a cloud boosts energy production, explains Carl Landerholm, the designer

of the Brockton Brightfield solar plant. Sure enough, as the sun slowly emerges from behind a wispy cloud, the recorder measuring the plant's electricity output shoots up from nearly 72 kilowatts to 225 kilowatts.

The contaminated parcel of land that once housed the Brockton Gas Light Company's gas works didn't have great prospects for redevelopment. But since 2006, the site has been home to the largest brownfield-turned-brightfield in the US, and the largest solar array of any kind in New England. Bishop Filipe Teixeira of the Catholic Church of the Americas, whose church is nearby, thinks the plant "is a natural." "I have no problem with that because it's not hurting anybody," he says.

Brockton Clean Energy, the Boston-based subsidiary of Advanced Power of Switzerland, hasn't received the same warm welcome from city residents. The company's plan to build a 350-megawatt facility, primarily fueled by natural gas, was still pending at press time, contingent upon final



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approval by the state Energy Siting Facility Board and compliance with local zoning laws.

Project manager Ron Kelly calls the \$350 million proposal “the Brockton economic stimulus package.” Landerholm, who supports the plan, says that the 468-kilowatt brightfield would have to be multiple times bigger to equal the output of the proposed power plant. But Teixeira and other opponents say the plant would saddle a low-income, predominately minority neighborhood that already has a significant industrial presence with another source of health-threatening pollution.

The debate in Brockton shows an emerging disconnect. The message that there’s a continued need to build traditional power plants, even as the state slowly goes green, hasn’t made it down to the general public. Brockton residents hear state leaders talk about “green communities,” “energy efficiency,” and “renewable power,” and then wonder why a natural gas plant gets proposed for a tire-strewn field a short drive away from a nationally recognized solar success story. “Right now, the governor is trying to do something cleaner,” argues Teixeira. “Why can’t we go to solar power?”

In light of the Green Communities Act, Eugene Benson, an attorney for Alternatives for Community and Environment who represents a group of Brockton and West Bridgewater residents fighting the power plant, wants to see a moratorium on fossil fuel plant construction. He’s skeptical of a market-driven process that determines and responds to need, which means that the siting board can’t consider those issues.

“I think there is a really serious question about whether we should be allowing more fossil fuel power plants to get built until we figure out what this new world is going to look like,” he argues.

If Bay Staters are going to get fully behind renewable energy, the “green is good” message needs a tweak. Since much-touted renewable power facilities aren’t immune from controversy, Massachusetts must plot a course though the pervasive NIMBYism that characterizes the public siting debate. For Exhibit A, see Cape Wind, the Nantucket Sound wind farm proposal. Meanwhile, even as some homeowners evangelize about their solar panels (an expensive undertaking in the best of times), others battle fossil fuel generation.

Energy efficiency and renewables haven’t delivered the knock out just yet, but forces that aim to make traditional power plants history are on the march.

“Over the period of our lifetime, you will certainly see a diminution of the number of fossil fuel generated plants and a dramatic increase in the number of renewable plants and a generally much more energy efficient economy,” says Bowles. “I think those things will all happen.” **CW**

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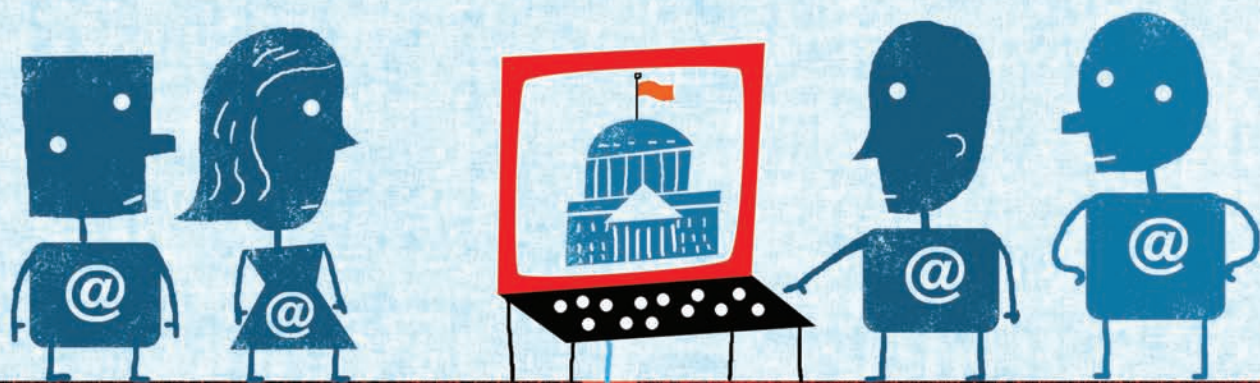
High-tech breakdown

Speedy replies are rare at government
websites in Massachusetts

BY COLMAN M. HERMAN | ILLUSTRATION BY JAMES YANG

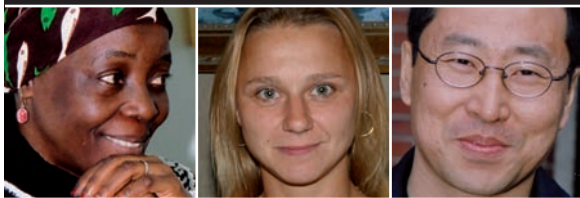
THE WEBSITES OF FEDERAL, state, and municipal agencies and officials can serve as pipelines to the public, allowing citizens and government officials to interact in a convenient, cost-effective manner. But here in Massachusetts, these pipelines often flow in one direction, with citizen email inquiries either ignored or answered in haphazard fashion by government officials.

Posing as a regular citizen, I tested the responsiveness of 101 agencies or political officials by sending them queries using emails listed on their websites. Thirty-seven of the inquiries had still elicited no response weeks later (see sidebar) and five bounced back, meaning the email address listed on the agency's





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website was not functioning.

The remaining 59 emails were answered, but only 28 of them were answered promptly and completely. The others were answered after lengthy delays or in incomplete fashion.

The non-responders ranged from politicians like Boston Mayor Thomas Menino, who was asked for a copy of his State of the City address, to state Fire Marshal Stephen Coan, who was asked for tips on buying a smoke detector.

The state's Board of Registration in Medicine, Alcohol Beverage Control Commission, and Division of Professional Licensure all handle complaints about the people and businesses they regulate. Yet none of these agencies responded to email queries on how to file a complaint.

Russell Aims, a spokesman for the Board of Registration in Medicine, says he can't pin down why the email to his agency wasn't answered. "It may have been carelessness," he says.

Some of the non-responders answered my inquiries with automatic-reply assurances that a response would be

One office said the 'average' response time was one day, but no answer came.

sent out shortly. The state Office of Consumer Affairs and Business Regulation, for example, responded to an email with this auto-reply: "Please note that the average response time for emails is within one business day." No response ever came.

Similarly, the Massachusetts Office of Small Business and Entrepreneurship's auto-reply stated, "Thank you for your interest in doing business in Massachusetts. Your information has been forwarded to members of the Massachusetts Business Resource Team and a representative will contact you soon." No one ever did.

The MBTA's email form states, "Please tell us who you are so we can follow up with you." I did, but the "T" never responded.

Politicians didn't fare much better in the email test. The offices of Menino, state Treasurer Timothy Cahill, Senate President Therese Murray, House Speaker Robert DeLeo, and US Sen. Edward Kennedy all failed to respond to email inquiries. "No system is perfect," says Cahill spokeswoman Francy Ronayne, in a common refrain.

There were a number of agencies that did respond to the emails, but took a long time to do it. The Department of Elementary and Secondary Education, for example,

took 24 days to respond to simple questions about charter schools, and the Massachusetts Highway Department took 21 days to answer questions about its Adopt-A-Highway program and whether the department issues an annual report.

Still other agencies responded in timely fashion, but then dropped the ball. For example, I expressed interest via email in volunteering at the Department of Conservation and Recreation. An official there contacted me, asking what I would like to do. I provided the information, but never heard back. "I'm really sorry about this," says spokeswoman Wendy Fox. "I can't tell you why it happened."

I also asked Secretary of State William Galvin's office, which oversees the state's lobbying law, whether lobbyists are allowed to speak to legislators in the chambers where the legislators vote.

Maria Marra, supervisor of the lobbyist section, wrote back that the office did not have the statutory authority to oversee the conduct of lobbyists and referred me to the attorney general's office. When I contacted the attorney general's office, I was told, "The appropriate agency for you to contact is the Lobbyist Section of the Secretary of the Commonwealth's Office."

BRIGHT SPOTS AND DEAD ZONES

There were some bright spots in my email test. The Department of Elder Affairs, for example, not only responded electronically to an email question about assisted living and the Medicare drug program, but also followed up with a phone call.

The Massachusetts Commission Against Discrimination, as well as the state's Office of Campaign and Political Finance and the Department of Agriculture, all responded quickly and comprehensively to questions. So did two city agencies, Boston's Environmental Department and Boston Bikes.

"I've been on the job for a year and a half," says Department of Agriculture Commissioner Douglas Petersen. "And from day one, I've told my staff that responding to inquiries from citizens is the highest priority here."

Gov. Deval Patrick's office did well, too. His staff responded within one day to email questions about where to find a copy of the governor's State of the State address and how to take a State House tour. Mark Lilienthal, the governor's director of constituent services, says the governor receives an average of 210 emails a day, or nearly 1,500 a week.

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NON-RESPONDERS TO *COMMONWEALTH'S* EMAILS

STATE AGENCIES

Alcohol Beverage Control Commission
Department of Capital Asset Management
Department of Children and Families
Department of Fire Services (Office of the State Fire Marshal)
Department of Health Care Finance and Policy
Department of Industrial Accidents
Department of Public Health
Department of Public Safety
Division of Professional Licensure
Department of Revenue
Executive Office of Administration and Finance
Executive Office of Labor and Workforce Development
Human Resources Division
Massachusetts Bay Transpiration Authority
Massachusetts Board of Registration in Medicine
Massachusetts Office of Small Business and Entrepreneurship
Massachusetts National Guard
Office of Consumer Affairs and Business Regulation

STATE CONSTITUTIONAL OFFICERS

Treasurer Timothy Cahill

STATE LEGISLATURE

Senate President Therese Murray
House Speaker Robert DeLeo (queried in February)
House Speaker Salvatore DiMasi (queried in November)

CITY OF BOSTON

Animal Control and Adoption Center
Boston Police Department
Boston Public Health Commission
Civil Rights Office
Consumer Affairs and Licensing Office
Emergency Shelter Commission
Inspectional Services Department
Law Department
Licensing Board
Mayor's Office
Parks & Recreation Department
Property and Construction Management Department
Transportation Department
Treasury Department

U.S. SENATOR

Edward Kennedy

will generate 49 billion messages this year, according to the Radicati Group, a market research firm based in Palo Alto, California.

Lilienthal has a five-person staff to respond to emails, phone calls, and off-the street visitors. Other agencies typically don't have such resources available to them. Several, including the Department of Transitional Assistance and the Department of Labor, don't even offer email addresses on their websites for citizen queries.

Juan Martinez, communications director for the Executive Office of Health and Human Services, says there's no excuse for state agencies not responding to emails. Martinez attributes the email problems at health and human services agencies to inactive email accounts and the volume of emails received. "Since I've started looking into this, we've made some upgrades to the email accounts and the agencies are taking steps to improve the process of responding to emails," he says.

Most of the other state executive agencies said they would look into why I did not get responses to emails, but few ever called back to say what they had found.

William Oates, Boston's chief information officer, did not respond to requests for comment on why the mayor and 13 city agencies did not respond to my emails. The non-responders included the city's Inspectional Services Department, the Public Health Commission, the Consumer Affairs and Licensing Office, and the Boston Police Department.

QUICK RESPONSES IN THE PRIVATE SECTOR

For comparative purposes, I also tested the email responses of private businesses to questions about returns and the availability of products. The contrast was startling. Every business *CommonWealth* contacted responded with good answers, and all but one did so in very timely fashion.

The winner was Building 19, the local emporium known for selling overstocks, irregulars, and insurance salvage. Lisa Bleidorn of Building 19 responded in a lightening-fast nine minutes. She says the company receives a couple hundred emails a day. She prints them out for owner Jerry Ellis to read and then types up his responses.

Very close behind Building 19 was the luxury Boston retailer Shreve's, which responded in 13 minutes. L.L. Bean responded in 34 minutes, Nordstrom in 47 minutes, and Bloomingdale's in 56 minutes. Jordan's Furniture, Staples, J.C. Penney, Shaw's, Sears, Target, CVS, and Costco responded in the space of one to 10 hours. Lowe's and BJ's took under two days. Stop and Shop was the only laggard—it took 7 days to hear from the Quincy-based supermarket chain about what grade of meat they sell and whether they have a delivery service.

Ten years ago, the city of Rockville, Maryland, decided

public face," Lilienthal says. "In today's world, people are more and more accustomed to doing things electronically and getting answers."

The numbers bear Lilienthal out. There are now 220 million email users in the United States alone, and they

to treat its contacts with its citizens like a business would — as valued customers. City officials, working in conjunction with employees and citizens, developed a set of customer service standards that were designed to be specific, measurable, and reasonable.

Rockville guidelines require, for example, that email be responded to within 24 hours on a regular business day and that the responses must contain detailed contact information about the responder. Rockville regularly assesses adherence to the guidelines, in part by sending “secret shopper” emails to departments the same way *CommonWealth* did here in Massachusetts.

“Customer service is ingrained in the way we work in the city every day,” says Louise Atkins in the city manager’s office. “It’s what we do. It’s how we operate as a government.”

Sorry to report, the city of Rockville talked the talk, but didn’t walk the walk with me. I sent emails to five city agencies there. One responded in nine minutes, two responded six to seven days after the city’s self-imposed 24-hour deadline, and two still hadn’t responded a week later. As this entire test of email responsiveness illustrates, agencies are only as good at answering citizen queries as the people at the other end of the line. **CW**

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On the set

Hollywood producer Lynda Obst loved filming in Massachusetts, but only a third of her crew member jobs went to Bay State residents

YOU MAY NOT KNOW Lynda Obst's face or name, but if you pay taxes in Massachusetts you are an investor in the producer's latest movie, with the working title *This Side of the Truth*. Obst decided to film the comedy starring Jennifer Garner and Ricky Gervais in Lowell last spring largely because of a 2007 Massachusetts law that gives filmmakers a tax credit worth 25 cents for nearly every dollar they spend here. (See "Subsidizing the Stars," CW, Spring '08.) It's a law that enjoys strong political support even as its economic benefits have been hard to quantify. Obst sat down with me in Hollywood to give an insider's view of the Massachusetts law and how it is working.

When I arrive a little early for our conversation, the security guard at the main gate of CBS Studios looks confused. "Nobody is early in Los Angeles," he explains.

"I'm from out of town," I say.

He looks my rented Ford sedan up and down. "Yes, I see."

Then he waves me into an office park that feels more like a village, with winding lanes named after TV shows, split-level bunga-

lows housing the offices, and signs pointing the way to the nearest Starbucks stand. I find Obst's beige bungalow just in time for our appointment, but she (perhaps aware of the guard's expectations) is 20 minutes late. A pixie-sized figure dressed all in black, she bursts into the bungalow out of a sudden rainstorm and ushers me into an interior office that feels like a cross between an Urban Outfitters display window and a college lounge. Cushiony armchairs fill the airy room's center. The walls are covered with posters from past Obst productions like *The Fisher King*, *Sleepless in Seattle*, and *How to Lose a Guy in Ten Days*.

After three decades in the industry, Obst is at once fiercely energetic and weary-of-the-world, waxing enthusiastic about movies and the beauty of Lowell while punctuating every remark with a dry joke about Hollywood, or Massachusetts, or herself. A native New Yorker who studied philosophy at Columbia University, Obst worked as an editor for the *New York Times Magazine* before jumping into the movie business in



Lynda Obst, during the filming of *This Side of the Truth* in Lowell.

1979. Even as she's become one of Hollywood's more prolific producers, she's kept a hand in the writing world. A frequent contributor to the Huffington Post, the *LA Times Book Review*, and *New York* magazine, she is also the author of a Hollywood memoir titled *Hello, He Lied*.

When Obst describes her experience in Massachusetts making *This Side of the Truth*, a Warner Bros. film due out in 2010, she is both effusive and evasive. She insists that the film tax credit is great for the state's economy, even as she refuses to say how much she spent here. (Her preferred term is tax "rebate," though it's a more complicated process than getting money back after buying a toaster.) She says she loved filming in the Bay State even though she couldn't find enough trained crew members because 12 other productions were also filming here last year.

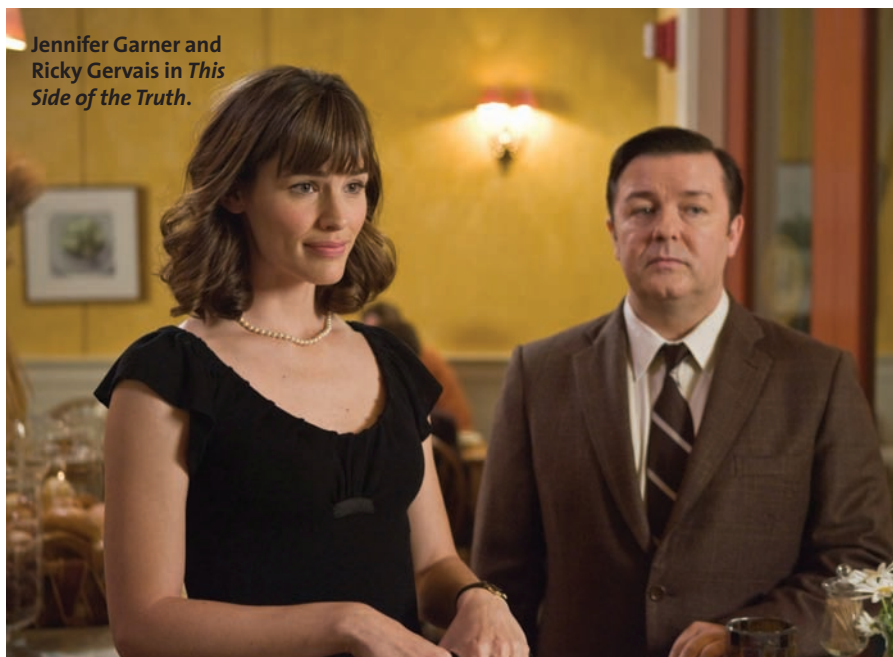
Obst thinks Massachusetts should invest in training more residents to become film crew members, but she acknowledged that the Commonwealth could easily build up an infrastructure here only to have the eye of Hollywood swing to other states (or countries) with better incentives. That's pretty much what happened to Canada, she says—and that's what could happen everywhere if California starts providing generous tax credits to keep its home-grown industry at home. Exactly a week after my meeting with Obst in February, California's legislature did authorize a film tax credit, although it caps total annual payouts at \$100 million.

Obst says that the film tax credit is great for the state's economy, but she refuses to say how much she spent here.

Without knowing how much Obst spent on *This Side of the Truth*, it's difficult to gauge the price tag for Bay State taxpayers. But here are some rough numbers. Obst calls *This Side of the Truth* an "inexpensive" project, which she defines as a movie that costs between \$10 million and \$30 million to make. A 25 percent credit, then, puts taxpayers on the hook for between \$2.5 million and \$7.5 million, or a bit less, since not all expenses may qualify. Producers can sell their tax credits back to the state at 90 cents on the dollar or they can sell them to a third party.

Either way, it's cash in the producer's pocket.

The economic return on the tax credits extended to Obst's movie is threefold: a three-month-long job for approximately 60 Massachusetts residents; another 140 people, most from California, working and paying taxes locally while patronizing the hotels and restaurants of



Jennifer Garner and Ricky Gervais in *This Side of the Truth*.

Lowell for three months; and the ongoing, hard-to-quantify boost to tourism that can come from having a movie filmed in a given place.

Overall, the Massachusetts Department of Revenue estimates that nearly \$130 million in film tax credits will be given out in fiscal 2009, about the same amount issued in 2006, 2007, and 2008 combined. It's a business that sounds like the perfect investment: Producers parachute into your state, hire locals, spend a lot of money, and then leave without demanding services like public schools. But Obst describes a business that is also very fickle. It will go where money is being given away but vanish afterward, bring out-of-staters to claim many of its jobs, and sometimes lose interest in a location because it doesn't have enough variety.

Gov. Deval Patrick, who promoted the film tax credit, is now pushing to give taxpayers more information on how it is working. In an outside section to his FY 2010 budget, the governor proposed making public the amount each tax-credit recipient receives from the state, the number of people they hired, and the average salary of those employees. The proposed change does not require filmmakers to report how many of those jobs go to local residents.

As of now, Obst and her financial backer, Media Rights

Capital (MRC), have no obligation to share business information with anyone other than the Department of Revenue, which treats it as confidential. And they have no intention to share the information voluntarily.

"They are a private company, and they keep their finances private," said MRC spokeswoman Susie Arons, who said she didn't know whether a disclosure requirement would affect her company's willingness to back movies in Massachusetts. Obst says she loved filming in Massachusetts, but stresses that the numbers have to add up.

—ALISON LOBRON

COMMONWEALTH: You've been in this business for almost three decades, and in the last few years, there's been an explosion of incentives luring producers to different states. How has that changed the way you make movies?

OBST: Well, it's just incalculable how much the business has changed. The studios have a liquidity problem, but of course, so have the banks. The job of a producer is to find the most economical way of making pictures, because pictures have become astronomically expensive to make and to market. The only consistently good news in the motion picture business is that people keep going to movies, no matter what dire prognostications get made about DVD entertainment systems, Xboxes, Wiis, young boys only playing video games. No matter what trends seem to come and go in popular culture, Americans, and an international audience, go to American movies. It's our greatest export. That's the good news. The bad news is that it's become hideously expensive to make them.

CW: How come?

OBST: There are two forms of rising costs. There's the increasing cost of stars, and we're dependent on them to make people aware of our movies when there's a glut of movies. There's the rising cost of production, because the very big movies that tend to dominate the box office cost a lot in terms of production costs and special effects and razzle-dazzle. So what we look for is: How do we lower those costs and make it viable to make motion pictures? If we have a piece of material that talent is dying to do, we can lower actor costs. If we can make it attractive to states to have us make pictures in specific locations, we get tax incentives.

CW: When did you become aware of states competing to get Hollywood's business?

OBST: It feels like between five and eight years ago, and it happened with a vengeance all of a sudden. It was a pan-



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acea that productions started running to. Before that, we were being pushed to Canada because the Canadian dollar saved us money. Canada was really a viable place for us for 15 years, and they opened huge facilities. Then suddenly, there was a migration to Louisiana [the first state to offer a film tax credit, in 2002] and onward to other states.

CW: Are the financial incentives the biggest piece of the puzzle when you're choosing your location?

OBST: Duh. There's my one-word answer. Yes, they are.

CW: You just filmed *This Side of the Truth* with Ricky Gervais and Jennifer Garner in Massachusetts. How did you pick Lowell?

OBST: There were three states in the east that could be considered from an economical point of view: Massachusetts, Connecticut, and Rhode Island. So we did budgets for all three, factoring in all the costs and the likely rebates. Massachusetts came out the best.

CW: And why Lowell?

OBST: It's gorgeous. [Laughs.] Haven't you noticed? People in Massachusetts look at me like I'm insane when I say Lowell's gorgeous. They think all these posh towns like Andover are gorgeous. And yes, they do have their charms, the posh towns. But we weren't looking for a posh town. We were looking for a town that was a stand-in for industrial and post-industrial America. So we sent

**Movies are still big,
but Obst says they
are now 'hideously
expensive' to make.**

a scout all over Massachusetts, and Ricky [Gervais] and Matt [Robinson], the directors, picked Lowell based on the pictures. They just jumped on it. There never was a second competing town.

CW: There were 13 major motion productions shot in Massachusetts in 2008, compared with one in 2005. How does having a lot of other films in a given place affect your location decision?

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OBST: As a producer, that worried me a great deal. I was loath to go to Massachusetts for that reason. I was really concerned about not being able to get good crew, and about how much crew we'd have to bring in and how much that would offset the rebate. The answer was: The rebate was good enough to offset the amount of crew we had to bring in.

CW: How much of your crew did you hire locally?

OBST: I need to check on those figures. [Her assistant later says it was less than a third.] If the rebates are going to remain in Massachusetts, there's a tremendous amount of job creation to be done.

CW: So, in some cases, you couldn't hire locally when you wanted to?

OBST: Yes, because there were a ridiculous number of movies. Almost nobody has that crew depth. LA has it, but nobody else does, except maybe New York. There are props needed, and an art department needed, and drivers in particular. There aren't enough grip and electric. You need locations people, who know how to find empty office spaces to film in and what the best bars are.

CW: How did you handle the lack of experienced crew?

OBST: We hired people who had never worked on a movie before, and trained them. We hired drivers who had worked for UPS. And art people hired friends and trained them. Did it work? Not always. That's why we had to bring some strong people in from out of town.

CW: So, let's say we pump a lot of money into job training and infrastructure. What happens if other states start topping our tax package?

OBST: Well, you have a smart governor. He [raised] the rebates there, but you have to be able to sustain them. The worst thing that happens is if you create an infrastructure and then the rebates go away. That's everybody's fear, which is sort of what happened in Canada. But it didn't happen for 15 years. A lot of people made a lot of money before the volume of pictures went away.

CW: That gets us to Plymouth Rock Studios, a full-scale production studio slated to open in 2010 in Plymouth. Would you have done more of the post-production in Massachusetts if the studio had been completed?

OBST: Well, my director happened to live in England. He, Ricky Gervais, is a big star, and he wanted to go home.



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CONVERSATION

But if there's not an extraneous situation like that, and if you're rebating the post-production costs, then of course, we'd do it there.

CW: How many jobs does a movie like *This Side of the Truth* create, and how long do they last?

OBST: We hired about 200 people, not counting actors. And then we're in a town, in a hotel, for three months. So you fill a hotel that had basically empty for three months, and every single restaurant has a crew eating at one or another for three months, and those local dry cleaners.... It's wonderful for a recession.

CW: Lots of industries spend money. What's special about film that Massachusetts should give 25 cents back for every dollar spent by a film company? Or that Michigan should give 40 cents back?

OBST: It's a business that opens and closes constantly. So every time I start a movie, I hire a few hundred people.

CW: How long does the employment last?

OBST: Well, we employ them for the length of the movie. But then they wrap, and they go on to another movie. [Film shoots] are a constant employer. Basically, you're in a start-up business all the time. You go to a town and you live off it—well, not *off* it, but you live there for three to six months. You're there for a month of prep, and three months of shooting, and then a couple weeks of wrap. This movie wasn't expensive, so we were there for three months.

CW: What's an inexpensive movie?

OBST: Between \$10 million and \$30 million.

CW: How much did you spend in the state on *This Side of the Truth*?

OBST: I can't say that.

CW: Can't say or won't?

OBST: We don't do that. But if you add up that there were 13 productions in Massachusetts last year, that's an unbelievable amount of money.

CW: Anytime there's a budget crunch, as there is now, some people say: Look, Massachusetts is laying people off and cutting human services. How can we give cash to the film industry?

OBST: You're not really giving them cash. You're allowing them to amortize their cash. The industry is going crazy that Arnold [Schwarzenegger] hasn't been able to do tax credits in California because the infrastructure is here. The pressure to do it here is unbelievable because people lay roots in this state in order to do what Massachusetts is in a position to do right now. People can't afford to stay here right now. They all want to up and move to Massachusetts. [A week after this conversation, the California state Assembly passed a film tax credit, albeit one that most observers consider modest.]

CW: What will tax credits in California mean for Massachusetts if we've pumped all this money into job training and a studio?

OBST: There are still some movies that look better in the East than the West. We could not have shot *This Side of the Truth* in California, just look-wise. California has palm trees. It doesn't look like industrial Americana.

CW: How would you suggest the state build up a crew base?

OBST: It's apprenticeships. It's weekend seminars where you bring out the best art directors, and have them do little seminars on being assistant art directors and being prop masters. I think people would hire graduates of a three-day seminar taught by a qualified prop master. Things like that are just enough to get you as third prop master. After you did one movie as third prop, you can become a second prop. You know?

CW: You're making it sound like quite a democratic field, in the sense that you don't need university degrees to get a job with a movie. True?

OBST: You don't. You need experience. And people need to hire locals. It's so much less expensive. Because we need crews so badly, longstanding traditions have been broken in order to make this work. It used to be impossible to get into these unions, and it isn't anymore.

CW: Setting aside the issues of crew and financial incentives for a moment, how was filming in Massachusetts as far as other logistics, like working with town officials?

OBST: Fabulous. The permitting was really easy. There are smart people in Massachusetts. I've worked in small towns where the sheriff expects a kickback. In a town that will not be mentioned in Texas, there was a sheriff who gave every single one of my crew a \$90 speeding ticket if they drove over 30 miles an hour on the way to the set because we wouldn't hire him for security. When we hired him for

security, then we could drive as fast as we wanted. I've seen corruption as clear-cut as that, and I've seen clean as a whistle, which was Massachusetts. The only issue we had was trying to film a gambling scene. There were all these very complicated gambling laws to ship things from Las Vegas to Massachusetts. We went by the book, but it was down to

Obst hired about 200 workers for the three months of filming in Lowell.

the wire to get everything there on time. Everybody was so unbelievably efficient in the district attorney's office. Oh, and needless to say, these were all disabled slot machines.

CW: Do you think people want movies in their states for the money or to be able to see Ricky Gervais and Jennifer Garner walking down the street?

OBST: Small towns like the latter, and big towns are smart. It's fun the first time you have a movie. After a couple of

movies, it's still fun, but it's a little more of a pain in the butt that traffic gets slowed down at times. And I think cities become smarter about why they're doing it. They're doing it because they need the money in town, and they drive smart bargains.

CW: Did people in Lowell drive smart bargains?

OBST: Some of them drove unbelievably tough deals to the point where we had to make other deals. It's not like any of them were naïve. But by and large, we had a bit of a love-fest.

CW: In a summary of your book *Hello, He Lied*, a reviewer says it paints "Hollywood as a place where people play by rules discernible only to those on the inside." What happens when you take Hollywood's way of doing business and plop it down in Massachusetts?

OBST: I don't think we were all that "Hollywood" in Lowell. When we were in Lowell, Ricky and Matt played Nerf balls with the cast. It was kind of like a big dormitory. I have a chapter in my book called "When on Location, Always on Vacation." Location is very different than filming in Holly-

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wood. That's why I prefer to be on location, kind of, all my life.

CW: When you set up on location, do people take on the culture of the place they are in?

OBST: They love the town they're in, and take "set" culture to the town they're in. There was a T-shirt everyone took to wearing that read, THERE'S A LOT TO LIKE ABOUT LOWELL. At the beginning, there was sort of a "Oh, there aren't enough places to eat" attitude, but by the end, everyone had their favorite Lowell restaurant. Ricky had his favorite Boston restaurants for dinner, and then he cooked. And I stayed in Boston and rented a house, because I'm a city girl. I rented a beautiful apartment in the South End. And I ate like a pig.

CW: Will you come back and do another movie?

OBST: I loved it there. And I think everybody had a really good experience. Really, the only issue was this crew shortage. For me, Massachusetts used to be known as the place where you make a movie about the Red Sox or Harvard, or if you're an Affleck brother. But now, it's a place where

you can make a movie about anything.

CW: Because of the tax credit?

OBST: No, because it's becoming a film capital. It's shown its versatility.

CW: So a state can become a film capital within three years of offering a tax credit?

OBST: Yeah. Look how it's worked. Louisiana tried to do it, but everything looked like Louisiana, so people weren't really happy with it. New Orleans is not a city that was able to stand in for other cities. But Massachusetts can look like so many different places. I think that's what makes the difference. Also, there's a real technological base in Massachusetts, and that really helps us. We'll see when this movie comes out, but Massachusetts seems to be able to look like a lot of places. And that's what it requires to be a film place.

CW: So, if a lot of movies are made here...

OBST: Will it burn out? That remains to be seen. **CW**

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We won't close the achievement gap until we pay attention to kids outside of regular school hours

BY JAY ASH

AT A RECENT MassINC board meeting, we were discussing the achievement gap between students from wealthy versus poor school districts and how best to shrink it. I found myself saying things I've been thinking about for years: Is expanded funding for the traditional school day the best way to gain better outcomes for students? Is it possible that we've seen all the dramatic improvements we might see from the Commonwealth's commitment to educational reform? Shouldn't we be turning our attention to other factors that influence our kids' ability to learn and achieve, especially where the achievement gap still exists?

I'm no education expert, but I've had a ringside seat to one of the most radical public education experiments in the nation. I was a young legislative aide for the state representative from Chelsea when the voice of the unconventional, Boston University's John Silber, talked to us about transforming education in our community. What transpired over the next two decades is a tremendous success story that, paradoxically, has me wondering whether a further investment in our schools will produce the best bang for our next buck.

Dr. Silber and his heady scholars turned Chelsea's schools inside out. They updated and coordinated curriculum; dispatched underperforming teachers and offered regular training to others; and constructed new schools. When the BU/Chelsea Partnership closed last year, I was there as city manager to thank Dr. Silber and BU for developing a top-notch educational "infrastructure." The experiment was deemed a success, as Chelsea's kids have outpaced, in many instances, their peers in similar urban environments. Ah, but there's the caveat: "Similar urban environments" is code for "schools that cannot compare to the suburbs."

After years of increased funding, tougher stan-

dards, and, in many cases, transformational leadership, educational gains like those in Chelsea have been made across Massachusetts at all levels, but the achievement gap still exists. Maybe paraphrasing an old campaign ad might be in order: "Education, it can't just be about the schools anymore."

Today's achievement gap may no longer relate to what happens between 8 a.m. and 2 p.m., Monday through Friday, 180 days a year. Should underperforming districts that have followed the state's programmatic standards be stigmatized when standardized test scores are announced? After all, they only have their kids 15 percent of the time, and they have no control over what happens to those kids 85 percent of the time—after they leave school.

Numerous studies, as well as champions like Chris Gabrieli and his Massachusetts 2020 project, indicate that we need to focus more on after-school programming, especially for children from poorer districts. "The research indicates that children from high-risk backgrounds have both the most to gain from after-school programs in terms of educational opportunity and the least access to [them]," wrote Lee Shumow, of Northern Illinois University, on the website of the Education Resources Information Center. I didn't need that research, though, to tell me we're not doing enough to give at-risk kids the resources necessary for them to compete with their suburban peers.

I'M A SUBURBAN dad, married to a suburban mom, and we both work long and hard before we get home to begin our next job: being suburban



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PERSPECTIVES

parents, or, as my oldest would call us, “homework Nazis.” And before and after homework, we’re paying for guitar lessons, taking our kids on trips, nurturing their interests in reading, and worrying that we’re not doing enough.

Unfortunately, the same is not happening in high-risk communities, and, dare I suggest, it’s not all the parents’ fault. If there are two parents in a household—a big if—they’re often working their second jobs and struggling with so much more, including their own educational deficiencies. Even if parents are able to overcome those burdens, they then face the daunting task of dealing with what their kids are learning on the streets, where negative influences are plentiful, powerful, and persistent. So, when kids spend the non-school 85 percent of their time in such settings, doesn’t it follow that they’ll suffer academically? If we value what our suburban kids do after school, why aren’t we promoting more opportunities for kids in places where achievement still lags?

In Chelsea, we’ve recognized that what happens after school is as important as what happens in school. With support from the Massachusetts General Hospital Center for Community Health Improvement, the Hyams Foundation, and others, we created REACH (Reach, Explore, Achieve in Chelsea), an ambitious after-school program focused on school success and career preparation. REACH cultivates the academic aptitude of seventh- to 10th-graders, while increasing their social, emotional, and cultural development. Isn’t the entire development process critical to academic achievement? I think so.

Gov. Deval Patrick seemingly agrees. Yet, while his commitment to student achievement means there will be no immediate school aid cuts, he’s shelved (hopefully, not for long) broad educational initiatives, including extending the school day. And even in Chelsea, an after-school believer, we spend one penny on after-school activities for every dollar we spend on traditional education.

Should federal stimulus money for education make it to Massachusetts, and certainly as state and local officials continue to discuss improving achievement, I hope we can fight the temptation to invest in “just” 15 percent of our kids’ time, and instead find more of the wherewithal to address what happens in the other 85 percent. With or without stimulus money, we need more after-school funding, be it to extend the school day or to provide community-based organizations with the resources to undertake prevention and intervention activities for kids and their families. Only through challenging convention, and promoting a holistic approach that treats the entire day as an opportunity for nurturing and learning, can we give every child of the Commonwealth the foundation upon which achievement becomes achievable. **CW**

Jay Ash is the city manager in Chelsea.

One size doesn't fit all

The GIC is no panacea for lowering the health care costs of municipalities

BY JOHN COUGHLIN

THE NATIONAL CONFERENCE of State Legislatures reported in January that 40 states must address shortfalls in their 2009 budgets, and 34 states also face shortfalls in their 2010 budgets. In both cases, the list includes Massachusetts. State officials here have already announced many cuts in services, including over \$500 million in reductions to municipal aid. The Massachusetts Taxpayers Foundation has estimated that the state budget shortfall may still worsen. Whatever the final number, the state's local aid contribution will be cut for fiscal year 2010, and municipalities will be scrambling to fill this hole through a variety of options.

One suggestion by former House Speaker Sal DiMasi was to have all municipal employees obtain their health insurance through the state's Group Insurance Commission (GIC), a state agency that

administers health benefits for the state's employees and retirees. With health insurance costs representing about 10 percent of the typical municipality's budget, the Group Insurance Commission has come to be seen as an economic safety valve



that could use its bulk buying power to save money for cities and towns. The only hitch: Bulk buying power does very little to lower the cost of health care.

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costs. Indeed, many communities would actually spend more on health care if they joined the Group Insurance Commission.

The GIC's one-size-fits-all approach doesn't work for the many municipalities with employees who tend to file fewer claims. For example, the Hampshire County Insurance Group, which covers 4,000 municipal workers, would pay an additional \$12.8 million to \$18.5 million over three years if they joined the GIC instead of choosing a "Municipal Blue" product from Blue Cross Blue Shield. Lowell's chief financial officer said recently that joining the GIC would cost the city more money and employees would receive fewer benefits. Newburyport officials have determined that the GIC would cost \$100,000 more than a comparable Blue Cross Blue Shield plan.

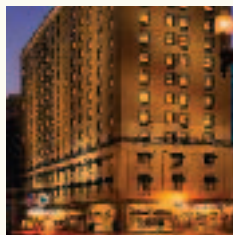
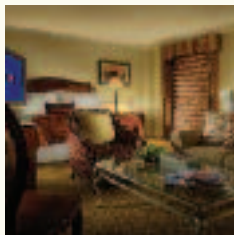
THE PERCEPTION THAT the purchasing power of the GIC will allow cities and towns to achieve health plan cost savings is fiction. If purchasing power lowered health care costs, Blue Cross Blue Shield of Massachusetts could achieve far greater savings than the GIC. Blue Cross Blue Shield is the state's largest health insurer, with more than 3 million members. Nearly 500,000 Massachusetts governmental

workers and their families use us as their health plan. The GIC, according to its website, insures 169,000 employees and their families, for a total of 300,000 people.

Purchasing power is simply not the driving factor in saving communities money on health insurance. In health plans like those offered through the GIC, costs are reduced largely by changing the plan's benefit design. Any insurance company can do it. By having the employee pay a higher share of his or her premium, a higher copayment, or a higher deductible, *any* insurance plan, including Blue Cross Blue Shield of Massachusetts, can reduce the employer's cost.

Addressing benefit design is one way to save cities and towns money, but there are other ways to address health care costs as well.

Choice is vital to ensuring that cities and towns make the best decision for the health of their employees and retirees, and for the fiscal health of their communities. The Legislature should consider requiring municipalities to solicit competitive health insurance bids at least every two years. Currently, a section of the GIC law mandates that towns and cities must join the GIC for a minimum of three to six years. Greater ability to bid will promote greater savings flexibility over time instead of locking a town into a lengthy contract.



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The Legislature should require all municipal health claims administrators (health plans, joint purchasing arrangements, and the GIC alike) to provide towns with their specific claims data on a regular basis (at least annually). There is currently no standardized, consistent format for providing this data. This information is needed so that municipalities can solicit competitive bids from health plans on an ongoing basis. Communities can then seek real changes in their municipal health costs.

Municipalities should also be rewarded for putting their health care contracts out to bid and achieving actual savings. The state could utilize some portion of already existing funds, such as local aid, and dole it out based on a community's success in reducing health care costs. Such an approach would give municipalities an incentive to seek out competitive bids and reduce costs.

Cities and towns should also pursue disease management and wellness programs. Should municipalities be required to implement these changes through a state mandate, the results will benefit municipal employees as well as help alleviate the costs of health care over time.

As governmental employers offer more plans that require greater cost sharing for employees, the employers should introduce more tools to help their workers pay these costs, including flexible spending accounts, health reimbursement accounts, and voluntary employee benefit arrangements. Health reimbursement accounts are like a savings account funded by the employer. Flexible spending accounts are savings accounts funded by the employee using pretax dollars. In either case, the result is a reduction in out-of-pocket costs, thus saving individuals money on health care expenses.

The three key factors that drive health care costs today are the same for municipalities as for the private sector: the costs of services such as doctor's visits, prescription drugs, and hospital stays; the increase in the number of health care services being rendered; and the increased intensity of health care services (such as MRIs instead of X-rays). As policymakers consider these issues, they should provide incentives for payment methodologies that redirect focus from the quantity of services provided to promoting the improvement in the quality of the care received. Again, this longer-term proposal will hit the root cause of the rising costs of health care.

All of these measures will require additional hard work; municipalities and health plans will need to be creative in arriving at sensible, cost-effective solutions. It won't be easy, and it won't happen overnight. But through the collective efforts of all, we can bend the municipal health cost curve. **CW**

John Coughlin is vice president of select markets at Blue Cross Blue Shield of Massachusetts.



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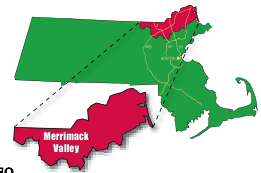
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Massport: Government that works

After 50 years, the agency isn't broken, so why try to fix it?

BY JOHN QUELCH

FIFTY YEARS AGO, the Commonwealth of Massachusetts launched a bold experiment in bringing business principles to government when it entrusted its most important transportation facilities to a new agency, the Massachusetts Port Authority. Created by the Legislature in 1956 in response to concern among business, civic, and labor leaders that the Commonwealth's deteriorating air and sea facilities were jeopardizing the state's economic future, Massport formally took charge in 1959 of Boston Logan International Airport, the Port of Boston's public terminals, the Tobin Memorial Bridge, and, in 1974, Hanscom Field.

Today, community activists, business leaders, journalists, and public officials are still debating the nature and responsibilities of this unique "quasi-public" entity, which is not quite a business and not quite a state agency. Just recently the *Boston Globe* asserted that Massport takes great "pride" in its "decidedly different philosophy" of managing its facilities more like a business than a state agency. Even after 50 years the *Globe* still doesn't get it: Running Massport like a business isn't our "philosophy," it's our mandate.

The current transportation secretary, James Aloisi, has been quoted as criticizing Massport officials for protecting their "cozy little worlds" and resisting change that would reduce the authority's independence in favor of transportation reform.

Nothing could be further from the truth. Our bidding and procurement procedures are robust, our hiring and promotion policies prevent patronage appointments, and our board governance standards are second to none. Massport is a model of continuous improvement, striving to be a national leader in safety, security, and environmental issues. There is no room for cozy relationships when the safety of thousands of airline passengers is at stake each day. Unlike the Turnpike Authority, or the MBTA, Massport is not broken. So why try to fix it?

I've been chairman of Massport for seven years and a professor at Harvard Business School for more than 25. I am convinced that Massport's independent, business model mandate makes

sense. It is less about politics and more about getting the job done with zero dollars from the state's general fund. It's why David Cush, president and chief executive of Virgin America, was able to say at that airline's launch of service from Boston to the West Coast that "Logan was able to do in six days what we had been trying to do for six months in Chicago." We moved quickly while O'Hare stalled, and the New England economy will benefit as a result. It's why, when Gov. Patrick approached us about running transportation assets and absorbing Big Dig debt, we told him the truth: Tunnel tolls would have to increase to \$15 by 2025. No gimmicks. No campaign slogans. Just facts.



By putting its critical transportation infrastructure in the hands of a public agency built on market principles, the Massachusetts Legislature hoped to combine the best of two worlds: business efficiency and public accountability. To achieve this mission, Massport was accorded political independence through a seven-member board appointed to staggered seven-year terms by the governor. Massport was given the power to assess rents, fees, and tolls, and to issue revenue bonds, so it would not be a hostage to the ups and downs of the state's fiscal condition and changing public moods. By putting these assets under a single agency with the financial and political independence to support them, Massachusetts hoped to ease the burden on taxpayers, recover its past airport and seaport investments, and pass responsibility for these critical facilities to an organization with the business and financial wherewithal to sustain itself and compete with other airports and seaports for global business.

The approach has worked remarkably well. Massport is the state's only transportation entity that has a solid balance sheet and maintains its properties in good condition. Over the last 15 years, we have spent \$4.4 billion improving the airport, have created the world's first LEED-certified "green" airline terminal, and have contributed to

the community, all without any tax support or subsidies from the Commonwealth.

As a business, we monitor cash flow closely. But sometimes, we make mistakes. This fiscal year, our parking revenue was down \$4.3 million in the first eight months. We cut costs, we froze hiring, and we are looking at more cuts, but we also needed to raise revenue. We acted as a business, and we went ahead and raised hourly parking rates. But in this case, we should have acted more like a public agency and allowed more time for public input.

Still, despite a hiccup or two, we have maintained a strong AA bond rating from the various bond rating agencies. This helps lower Massport borrowing costs and produces millions of dollars in savings for its customers and aviation partners.

Most important, we have enhanced security, enabling us to regain the public's trust after 9/11 and making the agency a national leader in transportation security. When I arrived at Massport in 2002, the determination of board members and employees to make security at Logan (and at all Massport facilities) second-to-none was obvious. That year, the board committed to spending \$150 million to build the nation's first in-line checked baggage explosive detection screening system, even before we had any

assurance of federal reimbursement. And Logan was the only major airport in the nation to meet the initial federal deadline for the completion of such a system.

Security considerations remain paramount. Logan begins each day with an 8:30 a.m. briefing that brings together every agency and organization with security responsibilities to go over the latest intelligence and threat information. Logan has also developed a behavior pattern recognition surveillance program that is a model for other airports around the country. We also created a unique Security Center of Excellence that uses Massport facilities as laboratories to test promising new security technologies.

A 2006 MASSPORT economic impact report noted that the Authority employs more than 18,000 people (more than 16,000 of them in private industry); indirectly supports as many as 100,000 private-sector jobs; contributes nearly \$9 billion to the local economy; and provides more than \$670 million in tax revenue for state, local, and federal government. We are, like higher education and health care, a pillar of economic activity for the region.

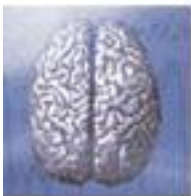
Massport has been called a "power unto itself" that turns a deaf ear to nearby communities. In fact, Massport

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strives to be a good corporate citizen. We have spent \$150 million soundproofing homes, and another \$281 million in payments in lieu of taxes to local governments over the last 25 years. During that period, Boston received \$255 million from Massport, more than all the payments from the city's colleges and universities combined.

And we've done it all with an eye on the consumer.

The current economic recession presents Massport with a grave challenge. With 2009 passenger traffic continuing to fall, we continue to work with our airline tenant partners to further trim our costs. Our objective is to ensure that the per-passenger and per-flight fees we charge the airlines are held as close to constant as possible, even as we increase customer service.

Our airport sits on about 1,700 acres of land. We are looking to the future with projects like a consolidated rental car facility—needed so our roadways will not be crowded with rental car company buses in the years ahead. As our terminal space reaches capacity, we have already identified areas on the airport where new gates might be built. The first choice is expanding Terminal E to the west.

Like any sound financial portfolio, Massport derives its strength from diversification. Today, Logan is served by 46 air carriers that fly to 70 domestic and 31 interna-

tional destinations. No single carrier dominates the market. Last year, the new airline produced by the Delta/Northwest merger topped our list, accounting for 21 percent of Logan's passengers. American Airlines, US Airways, and JetBlue are close behind, each with between 14 percent and 16 percent of the market.

At Logan, when one airline leaves or reduces service, there are others waiting to take its place. That's because Boston is a large, prosperous, travel-intensive market that's a great place to do business for any carrier that serves it. And it is because Massport makes sure that, whenever airlines want to do business in Boston, there is space at Logan to accommodate them.

Through its 50-year history, Massport has experienced highs and lows. But Massport today mirrors the expectations of its founders: an independent, publicly accountable agency that runs like a business. We are an agency that puts the customer first, and, in so doing, connects New England with the rest of the world. Beacon Hill should make sure it remains that way. **CW**

John A. Quelch is chairman of the Massport Board and is the Lincoln Filene Professor of Business Administration and senior associate dean at Harvard Business School.



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After the flood

Young adults find opportunity, and frustration, in New Orleans

BY ALISON LOBRON

TAKE ONE FLOODED city. Add thousands of devastated inhabitants, a bungled federal response, and an absence of civic leadership. It doesn't sound like a recipe for success, yet nearly four years after Hurricane Katrina, New Orleans seems to be doing one thing that remains a perennial challenge in Massachusetts: getting young adults to feel a personal stake in the region's future.

Just ask Hampton Barclay. A native of Washington, D.C., who attended boarding school in Massachusetts, Barclay moved to New Orleans in May 2006, soon after he finished college. The city was barely functional at that point, and that's exactly why Barclay wanted to go.

"Part of it was that I wanted to go down and help people," he says. "For somebody just getting out of college, this was where I could just step right in and work on issues that would really impact an American city." He compares the city to the Wild West: chaotic and disorganized, yes, but a place where a young and energetic person could compete for jobs that require 10 years of experience elsewhere. Barclay, now 26, soon landed a job as "green building director" for Home Builders' Association of Greater New Orleans.

The Millennial Generation often gets a bad rap as a bunch of kids who have been told they're special so many times that they expect to be promoted to CEO after 45 minutes in a new job. But for the young, new residents of New Orleans that I met on a recent trip there, the city's lure isn't just the chance for a fancy title. It's the chance to feel that they're doing meaningful work right after college, rather than sitting in cubicles, chatting on Facebook, and counting the seconds to lunch.

Barclay's friend Nathan Rothstein, 25, grew up in Lexington and attended the University of Massachusetts-Amherst. He thinks the college-to-work transition can be tough for smart, educated young people—not because they expect to be in charge right away, but because they're accustomed to using their brains.

"When you're in college, you're doing critical thinking," said Rothstein, who has become the

political director for probable mayoral candidate James Perry, now the executive director of the Greater New Orleans Fair Housing Action Center. "Then you go into these jobs where you think you'll be able to do a lot and you're really idealistic, and in the end you just sit behind a desk and you're pushing papers."

Rothstein says that when he compares himself to his college friends in Boston, New York, and Washington, he feels a greater connection to his adopted city. He goes to planning meetings; he feels like he has a voice in the rebuilding process. He runs a networking group of about 3,000 young professionals in New Orleans, and, along with other local boosters, likes to talk about reversing the brain drain that plagued the Big Easy even before the hurricane.

Between the 1960s and August 2005, New Orleans bled educated young people, who would leave for college and not return. A Brookings Institution report found a net loss of college graduates in the metropolitan region during the '90s, the same period in which southern cities like Dallas and Atlanta were attracting professionals. But since Katrina, at least some indicators suggest that people moving into the city belong to the same demographic that had been moving out before the storm. GNO Inc., an economic development organization, reports that for every older professional who left New Orleans after Katrina, two 23- to 35-year-olds have moved in. And Tulane University reports that its applications are up 180 percent from their pre-Katrina levels.

WHAT'S AS STRIKING as the numbers are the way young people talk about the city: Rothstein and Barclay speak in plural first person, about "us" and "we," as opposed to seeing the city as a "they" and themselves as a "me." It suggests a level of buy-in that isn't found everywhere among people in those initial who-will-I-be-and-where-will-I-live years after college.

The city's youthful energy was palpable when I

visited in December 2008 as part of a service trip to repair homes and facilities still devastated by the storm. I traveled with a group of “young adult” volunteers, ages 25 to 35, and those of us over 27 felt like wizened crones compared to the young professionals living and working there.

Still, just as palpable as the energy was the sense of wheel-spinning—of duplicated efforts, services provided in the most inefficient manner possible, and lots of youthful executive directors running around without the tools or the power to implement their ideas. That’s a symptom of the much larger disarray in post-Katrina New Orleans. Some neighborhoods have been fully rebuilt; others look like a war zone. There’s significant disagreement as to whether all areas *should* be rebuilt (due to the threat of future storms, and the still-uncertain levees), but in the meantime, lots of individuals are out there with hammers and nails and little coordination of efforts.

In the Lower 9th Ward, empty building lots are interspersed with enormous, brightly colored, solar-paneled houses with funds provided by actor Brad Pitt, among others. The Broadmoor area, where I volunteered, is another eerie blend of the restored and the still-abandoned; a sparkling, pre-fabricated home will sit opposite a water-ravaged house still covered in spray-paint to indicate how many bodies were found there in September 2005. Years after the initial trauma, residents live with constant daily reminders of the havoc: the empty house across the street, the grocery store that still isn’t open, the friends who evacuated to Houston and never returned. As one suburban resident puts it, everyone in New Orleans *should* have post-traumatic stress disorder, and the only reason some don’t is that they haven’t gotten to the “post” stage yet.

Then there are all these energetic, un-traumatized young people, empowered to do anything. But they are living in a city where, they say, it’s very hard to get anything done.

“I’ve loved living here, but it’s been the most frustrating experience of my life,” says Barclay. “The leadership of the city wasn’t willing to make any hard choices about what to do.

There were no mechanisms set up either to really strongly encourage people to return, or to say, ‘No, we’re not going to rebuild here.’ It’s resulted in this sort of mishmash, where you have one or two houses on a block and you’ve got to provide city services—school, electricity, police—for that one house. And it’s a lot more expensive to deliver to that one house than to a whole block of houses.”

There was a similar lack of coordination and leadership even at my group’s volunteer level. Our group was assigned to build a fence between two restored houses and, as is often the case with unskilled volunteers, none of us knew the first thing about fence-building. So the week



This artwork by Leandro Erlich is in a neighborhood devastated by Hurricane Katrina. The piece is, fittingly, called *Too Late for Help*.

was something of a comedy of errors: nailing boards backwards, trying again, and hoping nobody got hurt playing with power tools. When the fence was finally complete, we felt the warm glow of altruism and the satisfaction of doing what was, for us, difficult work. But we also knew that having seven white-collar professionals fly to New Orleans to build a fence was not the most efficient or effective use of resources.

So I left with mixed feelings. On the one hand, it was great to see young people diving in and getting involved in a city that was, by many accounts, an organizational mess even before Katrina. On the other, it was hard to

There’s energy, but also a sense of wheel-spinning.

ignore the lack of guidance, mentorship, and forethought. The whole notion of supervision can be annoying when you’re young and think you don’t need it, but it’s pretty great when you get a mentor who both knows what she’s doing and knows how to teach you.

It made me wonder whether there’s a happy medium between a place like New Orleans, where a young person can do anything (but can’t get anything done), and a place like Massachusetts, where newcomers often say it’s hard to feel part of things in a state whose establishment is so, well, established. I hope there is—and that it doesn’t take a hurricane to find it. **CW**



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¹*Boston Business Journal*, Sept. 5, 2008. CRN201011-113718

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