

Wisconsin's Voucher Vultures

By Rebecca Kemble

August 4, 2013 - 6:35 pm CDT

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Scott Jensen began his career shilling for corporations at the Wisconsin state capitol as a lobbyist for Wisconsin Manufacturers and Commerce in the 1980s. He was then hired by the Republican Assembly Caucus as staff director and within a few years moved into the position of chief of staff for then-Governor Tommy Thompson. After a couple of years, he ran for public office himself and served as an Assembly representative for fourteen years, including as the speaker of the Wisconsin State Assembly for some of that time.

Then he fell from grace as he was charged and convicted of three felonies in an abuse of power and illegal campaigning scandal that rocked the statehouse and landed several top pols in jail.

After more than four years of legal maneuvering, Jensen managed to get a mistrial declared by the state court of appeals and appealed all the way to the state supreme court in order to move the venue of the next trial to his home county of Waukesha.

Eight years after Jensen was caught illegally using legislative staff and resources to work on partisan campaigns and charged with felony misconduct in office, he made a deal with Waukesha District Attorney Brad Schimel to plead guilty to one misdemeanor, pay a \$5,000 fine, reimburse the state for legal costs incurred on his behalf before he resigned, and promise to never run for public office again.

But that hasn't kept Jensen out of the state capitol. These days he can be seen prowling its halls, unelected but more powerful than ever, throwing his influence around.

For the past three years, he's been working as a high-paid lobbyist for school vouchers, raking in over \$200,000 a year to do the arm-twisting work of the Walton and DeVos families, two of the richest in the nation.

Ten years ago, Walmart heir John T. Walton joined forces with Betsy DeVos (sister of Erik Prince, who was head of the mercenary corporation formerly known as Blackwater, and wife of Amway heir Dick DeVos), to combine their political clout and financial strength to push a national school privatization agenda with a particular emphasis on private school vouchers.

The result of years of collaboration and state-level organization has been the development of what Mike McCabe of the Wisconsin Democracy Campaign calls “a very elaborate operation” to throw their money around.

The retail billionaires have created a closely interrelated complex of dozens of fundraising, lobbying, and political action groups that coordinate school voucher messages and campaign ads and shuffle millions of dollars between themselves. The three top tier groups are the 501(c)(3) Alliance for School Choice, the 501(c)(4) lobbying group American Federation for Children, and a PAC group called the American Federation for Children Action Fund.

Scott Jensen works for all three of these groups as a “senior policy adviser.”

Who better to steer the ship of vouchers on the national level than the guy who helped Tommy Thompson pioneer the scheme in Wisconsin two decades ago?

That so-called experiment in Milwaukee is ongoing with poor results for students. Study after study has shown that schools in the voucher program don't perform any better—and, in many cases, perform worse—than Milwaukee public schools.

What was pushed as a way to expand access to higher quality education for poor kids and children of color in urban Milwaukee has turned out to be just another potentially illegal, even unconstitutional shift of taxpayer dollars to private, mostly religious institutions.

If vouchers have been unsuccessful in achieving their stated aims of improving educational outcomes for kids, they have done much better in reaching their implicit goals of undermining public schools and propping up religious ones.

According to a recent Milwaukee Journal Sentinel report, one quarter of the schools eligible for the program reported 100 percent voucher enrollment, while 71 of the 112 schools have more than 90 percent of their student bodies attending with the help of public voucher money.

Last year, the voucher program was expanded to include Racine Unified School District, where religious school enrollment had been declining. Thanks to the state subsidy scheme, their numbers are now on the rise.

The voucher program is poised to take a major leap forward in the 2013-2015 state

budget.

The new plan combines tax breaks for private school tuition with budget allocations for vouchers. It lays the groundwork for two separate and unequal publicly funded education systems in the state: one public school system hamstrung by budget cuts, revenue caps, and increasing demands for accountability and “teacher effectiveness,” and another system comprised of mainly Catholic, Lutheran, and fundamentalist Christian religious schools funded with public money either directly through vouchers or indirectly through massive tax deductions.

Voucher lobbyists like Scott Jensen have fought hard to keep religious and private schools that receive public vouchers free from state law regarding teacher certification, fundraising, curricular content, and safeguards against discrimination.

School vouchers are deeply unpopular with Wisconsinites. In a recent Marquette University poll, 81 percent of respondents said they were satisfied with their local public schools and 72 percent thought funding for them should be increased. Only 27 percent had a favorable view of the voucher program. Marquette University Law School Professor Charles Franklin said of the results, “There is just no evidence the public is unhappy with public schools.”

At a recent press conference, state representative Sondy Pope, the ranking Democrat on the Assembly Education Committee, said that she and her colleagues had spent the past few months touring the state holding listening sessions. “Not once did anyone ask me to expand the voucher system statewide,” she said. “Every conversation was about how to stop the decimation of public education. Once we have statewide vouchers, I don’t know how we put the genie back in the bottle.”

So why are state legislators pushing vouchers if their constituents overwhelmingly oppose them?

According to Department of Public Instruction State Superintendent Tony Evers, “The education debate has been hijacked by well-funded special interest groups” that trap kids in an “ideological push for vouchers.”

That’s the direct result of the work by lobbyists like Jensen with political reach and access to tens of millions of dollars in potential campaign support. They’ve convinced lawmakers that championing the school privatization agenda of their rightwing Christian paymasters will get them elected, and that opposing them may mean out-of-control spending on attack ads against them in the next election cycle.

A case in point is the recent election of Republican Rick Gudex to the state senate. In its 2012 Election Impact Report, the American Federation for Children bragged that it had spent nearly \$2.4 million to win pro-voucher legislative races in Wisconsin, with more than

\$325,000 of that going to support Gudex. The report states that “Gudex’s victory was crucial for school choice supporters in regaining their majority in the state senate, which had been lost only months before in the June 2012 recall elections.”

The Wisconsin Democracy Campaign filed a complaint in May with the state election oversight body, the Government Accountability Board, alleging that the group violated campaign finance disclosure rules by disclosing only \$145,000 in spending on the Gudex race, and \$345,000 in overall spending in the state.

Over the last ten years, proponents of school vouchers have spent \$97 million in Wisconsin elections, according to an analysis by the Wisconsin Democracy Campaign. Opponents, led by the state teachers union WEAC, have spent about \$10 million. Thanks to Act 10, the law aimed at pulling the financial and organizational rug out from under public sector unions, WEAC spending dropped precipitously in last year’s elections.

Scott Jensen isn’t the only former Republican assembly speaker who is carrying water for the school privatization honchos. Two others have recently taken up the crusade.

John Gard and Jeff Fitzgerald both signed on as lobbyists for School Choice Wisconsin on January 10 this year. School Choice Wisconsin is one of the state-level groups receiving funding from the Walton and DeVos families either directly or through grants from one of their voucher organizations.

John Gard served in the state assembly for twenty years from 1987 until 2007. Scott Jensen managed Gard’s first run for office back in 1987, and in a strange twist of fate Gard took over as assembly speaker from Jensen in 2003 when the political scandal clouded Jensen’s reputation.

During his time in state government, Gard built up his rightwing credentials, receiving consistently high ratings on his voting record from anti-abortion and pro-business groups, while tanking in the eyes of social justice, education, environmental, and labor organizations. After leaving state politics, Gard twice ran for Wisconsin’s Eighth Congressional district seat, losing both times.

Jeff Fitzgerald held the seat as assembly speaker from 2011 to 2013. He sat at the legislative helm as historic protests against wildly unpopular legislation rocked the capitol in the spring of 2011. The son of a former Chicago police officer who now heads up the Wisconsin State Patrol, Fitzgerald was known for his ability to maintain discipline in his caucus, organizing hundreds of straight party-line votes over the course of his term.

According to former Republican assemblyman Dick Spanbauer, who declined to seek reelection last year because he felt he was no longer able to represent his constituents effectively in a government overrun by outside special interests, Fitzgerald was a ruthless,

sometimes clueless leader.

In an interview with the Oshkosh Scene, Spanbauer described the meeting in which Republicans were told about the anti-union bill: “Fitzgerald says to us, ‘You guys are gonna get e-mailed, you’re gonna get nasty phone calls, people are going to threaten to picket your house. But you know, after two or three weeks, this will slide by and we can go right into the budget.’ I thought, ‘You don’t know what the hell you’re talking about.’ ”

During a debate on a highly controversial mining deregulation bill that no lawmaker was willing to put his or her name on as author or co-sponsor, Democrats hammered Republicans to disclose the name of the person or people who actually wrote the bill. In a theatrical exhibition of his power to control assembly Republicans, Fitzgerald memorably took to the floor asking that every Republican member of the assembly be listed as authors, whereupon the speaker pro tem called out every one by district number “to make sure they’re not objecting.”

Such is the bullying power of money and political influence.

Fitzgerald’s seat as assembly speaker was still warm when he signed on with School Choice Wisconsin, now led by his former legislative staffer Jim Bender.

For the past decade, the citizens’ lobbying group Common Cause in Wisconsin has been pushing a measure that would prohibit lawmakers from lobbying for at least a year after they leave office. Common Cause director Jay Heck called Fitzgerald’s quick turnaround from elected official to lobbyist “amazing.” Heck says this creates “a problem that feeds cynicism to citizens, and makes them feel as if legislators are using public service as a stepping stone.”

Mike McCabe goes further, saying that illegal campaign scandals and the revolving door between public office and lobbying for private interests “has left our democracy in worse shape and our political system more corrupt than any time in living memory.”

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