

Clip File

*Story from newsletter The Welfare Reporter [September 2003]. Target audience: Local nonprofits that assist people moving from welfare to work.*

## **Proposal Would Not Undermine Self-Sufficiency Goals, HUD Says**

A proposal to allow public housing agencies (PHAs) to evict public housing tenants who are over the income eligibility limit would not undermine self-sufficiency initiatives that assist welfare recipients, the Department of Housing and Urban Development (HUD) said in a recent announcement.

But an official with the National Association of Housing and Redevelopment Officials (NAHRO) said that the proposal shows that HUD doesn't understand the natural progression of tenants in and out of public housing. "I think that HUD should let housing authorities dictate their own eviction policies," Julio Barreto, NAHRO director of legislation, programs and media, told **TWR**, arguing that the proposal would encourage PHAs to evict over-income tenants and could hurt working families.

The new proposed rules would amend HUD's restrictions on evictions of families based on income, which limit the authority of housing agencies to kick out families whose incomes increase unless it is determined there is comparable housing available or unless the PHA must evict the family in accordance with local law.

The new proposed rules would allow HUD to give PHAs the ability to evict families that are over the eligible income limit under the theory that public housing should be reserved for low-income families. The rules also state that it is "inappropriate" to limit the ability of a PHA to move over-income families out of public housing if they want to free up housing stocks for low-income families on waiting lists.

### ***A Top-Down Approach, NAHRO Argues***

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However, Barreto said this proposed ruling appears to be a "top-down approach to recycle units." He said he's heard little clamor from public housing authorities for additional discretion to evict tenants. In fact, he said he would support loosening the income restrictions on public housing eligibility so that neighborhoods can have more, not less, income diversity. He said working families help create a positive social environment for all public housing

residents and don't tolerate problems like noise, trash and crime.

In public housing, he said, there is a natural progression of people whose income has risen out of subsidized units and into the private market. However, in some cases, large families or families in high-rent areas like New York, Boston and Washington, D.C., public housing is the only option despite higher-than-average incomes.

"As our family's income rose," said Barreto, a former public housing resident, "we left because we had other options." The current rules protect tenants who don't have those same options. Under the proposal, housing authorities will be forced to use a "heavy hammer" to kick out some tenants, which may in turn encourage families to "commit fraud" by hiding additional income, Barreto said. "It's the kind of directive [that] sends the wrong message." ■

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*Story from newsletter The Welfare Reporter [August 2003].*

## **Partisan Head Start Bill Passes House by One Vote**

A bill to reauthorize and reform Head Start passed the House in July by one vote, setting up a showdown with the Senate, which is expected to take a less partisan tact with the 38-year-old program. This is the first time reauthorization of the program — which passed the House by a vote of 217 to 216 — has not garnered Democratic support; 12 Republicans also voted against the bill.

"For the first time in 35 years, the Republicans have turned Head Start into a partisan issue," Rep. George Miller (D-Calif.), the senior Democrat on the Education and the Workforce committee, said in a statement. "They are claiming they need to fix something that is not broken."

There are now nearly 19,000 Head Start centers in all 50 states and the District of Columbia, according to a recent policy brief by the Brookings Institution. The \$7 billion program enrolls an estimated 900,000 students per year, counting 70 percent of eligible four-year-olds and 40 percent of eligible three-year-olds.

Democrats have been reluctant to support the House-passed bill, dubbed the School Readiness Act of 2003 (H.R. 2210), mainly because it would allow up to eight states to enter into demonstration projects to run their own Head Start program. This, Democrats say, will

dilute the quality of Head Start programs by allowing states to skirt performance requirements and could result in programmatic funding reductions. Moreover, it could lead to a full-fledged block-granting of the program to the states, they say. The National Head Start Association also opposes the House bill and said in a statement that “cooler heads will prevail” in the Senate.

House lawmakers, whose plan is modeled on one proposed by President Bush, argue that state government control of Head Start, with the promise that they meet certain conditions on school preparation and quality of services, will result in a more efficient and less costly program.

The House measure crafts a system whereby eight states would test a system that fits, more or less, these parameters. The committee-passed provision on state-run programming was watered down somewhat in the form of a “consensus” amendment adopted on the House floor but the final proposal still failed to win a single Democratic vote.

The revised state programming provision would guarantee funding for all successful Head Start centers in states participating in the demonstration project for five years, which is the length of reauthorization, compared with three years under the committee proposal. Under this five-year “hold harmless” provision, the states would be allowed to consider funding changes for centers only when they are failing to meet high services standards, which the bill’s authors say is the same as under the federally run system.

The House measure also clarifies that a state would have to establish school readiness standards by FY 2003 to qualify for the demonstration. States that only have these standards under development would not qualify. The final House-passed agreement also would ensure that Head Start programs in the eight states provide equal or better services, lawmakers said. “We have listened to concerned Members, Head Start providers and parents in crafting these improvements to the bill,” said Rep. Mike Castle (R-Del.), author of the bill.

An amendment by Rep. George Miller (D-Calif.) to retain the basic bill and strip out the block grant provision failed. “Under this bill, states could increase class size, reduce program hours, exclude all three year-olds, increase child-teacher ratios, use unproven curricula, run half-year programs, or decrease early education services,” Miller said. Both parties support Head Start quality improvements under the bill and Miller said common ground could be found there.

In July, President Bush commended the House bill and highlighted the need to raise the standards of Head Start. “We want excellence,” he said during an event at the Head Start Center at Highland Park Elementary School in Landover, Md. ■

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*From Criminal Justice Funding Report [Sept. 10, 2003]. Target audience: state and local criminal justice officials, policy-makers and nonprofits.*

## **Advocates Say .08 BAC Program Proves Effectiveness of Sanctions**

A program that threatens states with monetary sanctions if they don’t enact tough drunk driving laws is coming to the do-or-die stage and as many as six states will face funding penalties starting in the new federal budget year, which starts Oct. 1, 2003.

The National Highway Traffic Safety Administration (NHTSA) in August issued final rules that implement the program that withholds federal aid from states that have not lowered their blood alcohol concentration (BAC) percentage from .1 percent to .08 percent. States must consider a person with .08 percent BAC to have committed a *per se* offense of driving while intoxicated or an equivalent *per se* offense to avoid losing millions of federal highway dollars.

Advocates said this proves that sanctions are the only way to compel states to act, but others disagree.

The International Association of Chiefs of Police (IACP) Board of Officers has adopted the recommendations of its internal Highway Safety Committee that will guide the association’s legislative activities this year and has taken a stand against sanctions and penalties used to force states into compliance with federal mandates. The recommendations say that the federal government should provide state and local governments with incentives instead. The Governors Highway Safety Association, representing highway safety offices, also is against enactment of any new sanctions or penalties in the pending highway reauthorization.

Jackie Gillen, vice president of Advocates for Highway and Auto Safety, told **CJFR** that the all-around progress among states in enacting .08 percent proves that sanctions work, even though some states and law enforcement groups despise them. Since the sanction policy was enacted in 2000, as many as 44 states, the District of Columbia and Puerto Rico now have a conforming BAC law.

“In less than three years, we have increased the number of states ... to almost every single state in the country,” Gillen said. Between 1998 and 2000, with only an incentive grant program in place — states had received extra funding for .08 BAC but were not sanctioned — three states passed the lower threshold law.

Once the sanction policy was enacted as part of the FY 2001 Department of Transportation Appropriations Act, an additional 26 states enacted stricter BAC laws to avoid funding cuts. "This is proof-positive how effective sanctions are," Gillen said.

The six nonconforming states could lose 2 percent of FY 2004 federal highway aid, which jumps by an additional 2 percent annually, eventually reaching an 8 percent loss by FY 2007. States can recoup all of their lost dollars if they comply with the program within three years. To date, these states had not enacted conforming laws: Colorado, Delaware, Minnesota, New Jersey, Pennsylvania and West Virginia. ■

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*From Arts & Culture Funding Report [September 2003]. Target audience: state and local arts, culture and humanities nonprofits. All the disciplines are covered, including visual arts, dance, music and performing arts.*

## **Artists' Visa Task Force Pushes for Admin. Changes, Not Legislation**

A task force of arts groups is pursuing administrative changes to speed up what has become an extremely lengthy process for approving temporary work visas for artists outside the United States to take part in performances in this country, an issue that some say has caused economic hardships in local communities.

The task force, consisting of the Association of Performing Arts Presenters, American Symphony Orchestra League, OPERA America, the North American Folk Music and Dance/USA, Theatre Communications Group, among others, says the Bureau of Citizenship and Immigration Services (BCIS), part of the Department of Homeland Security and formerly the Immigration and Naturalization Service (INS), takes up to four months to approve visas for visiting artists, hampering production planning and scheduling, and performances.

The process used to take around 30 days, said Shana Chase, director of Government Affairs for the Association of Performing Arts Presenters, one of the task force groups. She told *ACFR* that although a legislative fix had been sought, the task force realized all of the changes could be done administratively, if only the BCIS would listen to its case. Chase said

meetings on the visa issue were held last year, but the groups "haven't had a meeting since then."

Through administrative changes, the task force is seeking to: reduce the processing time for "O and P" visa petitions filed by, or on behalf of, nonprofit arts-related organizations to a maximum of 30 days, and specify that failure to comply with this deadline automatically moves the petition to the Premium Processing Service for consideration within 15 calendar days, without an additional fee; permit the visa applications to be filed one year before the proposed employment will begin; update outdated and inaccurate petition forms and instructions for O and P visas; and implement uniform policies, procedures and training at BCIS Service Centers for handling all petitions.

The task force has enlisted the help of several powerful members of Congress, who have received little or only perfunctory responses from BCIS, said Chase. Letters have been sent to BCIS by Sens. Orrin Hatch (R-Utah), chairman of the Senate Judiciary Committee and its ranking Democrat Patrick Leahy (D-Vt.), and by Sens. Saxby Chambliss (R-Ga.) and Edward Kennedy (D-Mass.), chairman and ranking member of Judiciary's Immigration, Border Security and Citizenship subcommittee. In the House, Reps. Melissa Hart (R-Pa.) and Howard Berman (D-Calif.) are drumming up signatures from colleagues for a letter expected to be sent to the immigration agency in mid-September.

"These groups must sell tickets in advance, creating a financial obligation to their audiences," Hatch's letter to BCIS said. "Delays in the adjudication of these petitions create significant economic risks for arts institutions and the local economies they support." The letter said changes will foster global cultural exchanges, which lawmakers argue are more important now than ever.

The task force is seeking a meeting with the acting director of BCIS, Eduardo Aquirre, Jr., to get a hearing on the proposed changes. "We have never met with him," Chase said, to fully explain "what has happened to our industry." ■

## In Repairs, a Lesson in Perseverance By Erika Fitzpatrick

The hurricane got my attention, but the shooting was the shocker. That's when I decided to find out why the Prospect Learning Center across the street from my Capitol Hill rowhouse was seemingly abandoned during what was supposed to be a yearlong project to replace its exterior panel walls.

When I began inquiring about the delay, first in 2002, but in earnest in 2003, I never would have predicted that the story would have a happy ending. I was wrong.

[enlarge photo](#) 



To help get the Prospect Learning Center in Capitol Hill repaired and running, the author, Erika Fitzpatrick, left, worked with Principal Eve Byford-Peterson and D.C. public school staff members. (James M. Thresher -- The Washington Post)

By 2003, the old walls of the school, which serves children with learning disabilities, were missing. The only things separating the interior classrooms from the elements were a few pieces of plastic, now dangling in the wind after Hurricane Isabel.

About two months later, as I sat watching crime-show reruns, the pop of real bullets rang out. The victim lay bleeding steps from my front door on the school's side yard. The yard, like the entire site, had been left unsecured by the missing contractors, who neglected to install a temporary construction fence. The police discovered that drug users had been sneaking through a flimsy plywood door to shoot up in the facility's basement. The school's rear playground, in the shadow of the newly completed Sherwood Family Recreation Center, had been virtually destroyed by neglect and vandalism.

Here we had a D.C. public school that resembled a listing old warship, ready to keel over and sink, sitting next to a new, multi-million-dollar recreation center. The juxtaposition was too disturbing to ignore.

Advisory Neighborhood Commissioner Joseph Fengler, a neighbor and I met with Tommy Wells, the local school board representative, and several Army Corps of Engineers and D.C. Public School (DCPS) workers in the lobby of the school. With the help of Francine Edmonds, our Ward 6 neighborhood services administrative assistant, that meeting led to the installation of a temporary fence. It also launched a yearlong battle to cajole the Corps, which works with DCPS on school renovations, to do right by the Prospect Goding community. (The school is usually called Prospect Goding because it is located in the old Goding Elementary School.) The folks at that late-2003 meeting agreed to convene every month to update the community on progress (or lack thereof) at the site. A series of mishaps, we were told, contributed to the delay and further deterioration of the building. The Corps took some responsibility for the state of affairs (never enough, in my book) but also blamed DCPS for neglecting the facility's roof, which leaked and caused damage. The blame game probably continues today as the Corps and DCPS hash out who owes what to whom.

What's more important is that eventually several DCPS officials -- including Ray Bryant, chief of special education reform; Gary Cooper and Renee Brown of DCPS's facilities; Prospect's deeply committed principal, Eve Byford-

Peterson; and teacher Alva Abdussalaam -- stepped into the breach. A few others and I met with this core group regularly over the next year, not only to push the Corps to replace the school's walls and the roof, but to come up with a plan to fully modernize the building.

Bryant wrested additional funds for the project, often, in the words of Peterson, from "thin air," while the burly and jovial Cooper, whose rapid pace in getting repairs accomplished no doubt bewildered the Corps's project managers, took over day-to-day site management. Brown worked miracles handling the procurement morass, met regularly with contractors, and fought day and night to meet the self-imposed deadline of bringing the kids back from their temporary location at Douglass Junior High School by the start of the 2004-2005 school year.

Perhaps to the surprise of the Corps and to the eternal delight of us all, the students returned from their temporary location in mid-October, welcomed by teachers who can now throw up the shades and let in a flood of sunshine, not water.

It took more than two years to get the renovations completed. But the positive ending to this public school story is a testament not to privatization or school choice or military precision, but to the work of DCPS personnel whose pride and unflagging dedication to the kids in their care always trumped blame and finger-pointing.

Bryant's dedication to his students and Cooper and Brown's take-no-prisoners attitude left Prospect with modern windows and new roofing, painting, furniture and technology, as well as a playground, iron fence and state-of-the-art teaching tools.

The work is not done. Peterson, in addition to the huge task of managing an urban school in an often turbulent system now acclimating under a new superintendent, has to handle a long list of tasks remaining from the construction phase.

But she's thrilled that Prospect's students are now learning in a bright and cheerful place that is centrally located for District residents. The landscape is now ringed with new trees donated by the Casey Trees Endowment Fund, and spring bulbs will be planted. The community is pleased, too, as evidenced by the "Welcome Back" sign in a resident's window greeting teachers and students.

Our monthly construction meetings are no longer necessary, but Peterson invited me to sit on the school's restructuring council so I can continue to participate in a small way to Prospect's continuing improvement.

But even when that phase is over, a great respect for the daily hard work of these public school professionals -- against daunting odds -- will endure. This project should never have gotten so far off track, but to see it turned completely around shows that perseverance is rewarded, even in a public school environment often described as beleaguered, chaotic or even broken. That's a pretty good lesson and, for a change, a happy ending.

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