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No Child Left Behind Education law's promise falls short



STARTING A NEW YEAR - Kwanzaa was celebrated Jan. 1 at the Durham Armory with a end of week celebration. (Photo By Lawson)

NC Racial Justice Act intact, still no override

By Gary D. Robertson
RALEIGH (AP) - The North Carolina House appeared Jan. 4 to have given up for now on trying to override Democratic Gov. Beverly Perdue's veto of a bill that would have gutted key sections of the Racial Justice Act.

Hours after the Senate voted to cancel Perdue's veto of the bill that would dismantle the new procedure for death-row inmates to argue racial bias influenced their sentences, House Republicans sent the measure to a judiciary committee.

House Majority Leader Paul Stam said it was unlikely it would be taken up again soon.

Instead, Republicans announced the creation of a special committee that would look at racial discrimination and how the death penalty is carried out. While Republicans in the Senate have a veto-proof majority, House GOP leaders would have needed the help of four Democrats to let the bill become law over Perdue's objections.

Stam, R-Wake, said the committee was formed in part because some Democrats indicated Jan. 4 they had some ideas of ways to fix the 2009 Racial Justice Act.

"We haven't heard what their ideas are, but maybe they have some ideas," he said.

The Racial Justice Act allows condemned prisoners and murder defendants to use statistical evidence to bolster arguments that racial discrimination was a significant factor in their death sentence or a district attorney's decision to seek the death penalty. Such evidence might include the percentage of blacks sentenced to death in a particular county or region, for example. A judge who agreed with the argument could reduce a death sentence to life in prison without parole.

Republicans have said the legal procedure is being abused by death-row inmates, even in cases where white murderers were convicted by white juries for killing white victims. GOP leaders were buoyed by local prosecutors, who lobbied hard for the new law and criticized Perdue for the veto. The 2009 law, district attorneys say, is causing more delays in carrying out capital punishment.

Rep. Bill Brisson, D-Bladen, one of a handful of conservative Democrats that have joined Republicans on previous vetoes,

said he would like the committee to recommend what he calls fair changes to address some of the concerns of DA by the time the next budget-adjusting session begins in May.

"It's not something that's going to be a quick thing or a quick fix," Brisson said. "But it is certainly something that I feel like needed attention ... obviously something is wrong and we need to get it corrected."

An advocate in support of the 2009 law and Perdue's veto expressed little relief at Jan. 4 outcome. Lawmakers still hadn't adjourned as of late Jan. 4, raising questions whether Republicans would attempt parliamentary maneuvers to take up other legislation or several pending vetoes, perhaps after midnight.

"There's so many games going on that I really don't trust what's going to happen," said Scott Bass, director of the Murder Victims' Families for Reconciliation, who had been walking the halls of the Legislative Building on Jan. 4 to lobby against an override. "Unfortunately, when they start playing these games and push things late at night and make deals behind doors, the citizens really aren't served."

House Republicans were negotiating with their Senate counterparts on what, if anything, they intended to do before adjourning until mid-February at the earliest, according to Rep. Tim Moore, R-Cleveland. Some Democrats questioned whether GOP leaders would cross the

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By Kimberly Hefling
WASHINGTON (AP) - The No Child Left Behind education law was cast as a symbol of possibility, offering the promise of improved schools for the nation's poor and minority children and better prepared students in a competitive world.

Yet after a decade on the books, President George W. Bush's most hyped domestic accomplishment has become a symbol to many of federal overreach and Congress' inability to fix something that's clearly flawed.

The law forced schools to confront the uncomfortable reality that many kids simply weren't learning, but it's primarily known for its emphasis on standardized tests and the labeling of thousands of schools as "failures."

Jan. 8 marked the 10-year anniversary of the day Bush signed it into law in Hamilton, Ohio. By his side were the leaders of the education committees in Congress, Rep. John Boehner, R-Ohio, and Sen. Ted Kennedy, D-Mass. The bipartisanship that made the achievement possible in the months after the Sept. 11 attacks is long gone.

The same Senate committee approved a revamped education bill last year, but deep-rooted partisanship stalled the measure in the full Congress. In this election year, there appears little political will for compromise despite widespread agreement that changes are needed.

Critics say the law carries rigid and unrealistic expectations that put too much of an emphasis on tests for reading and math at the expense of a more well-rounded education.

Frustrated by the congressional inaction, President Barack Obama told states last fall they could seek a waiver around unpopular proficiency requirements in exchange for actions his administration favors. A vast majority of states have said they will go that route, seen as a temporary fix until lawmakers do act.

Like Obama, Republican presidential candidates have criticized the law. One, former Pennsylvania Sen. Rick Santorum, even saying he regrets voting for it.

"If you called a rally to keep No Child Left Behind as it is, not a single person would show up," said Democratic Sen. Michael Bennet of Colorado, Denver's former school superintendent.

The view was drastically different 10 years ago, when Bush took what was an uncommon stance for a conservative in seeking an aggressive federal role in forcing states and districts to tackle abysmal achievement gaps in schools.

He was able to get fellow Republicans such as Boehner, the current House speaker, and Democratic leaders on education such as Kennedy, who died in 2009, and Rep. George Miller, D-Calif., to join him. The mandate was that all students read

and perform math on grade level by 2014.

"No longer is it acceptable to hide poor performance. No longer is it acceptable to keep results from parents," Bush said when he signed the legislation. "We're never going to give up on a school that's performing poorly; that when we find poor performance, a school will be given time and incentives and resources to correct their problems."

The law requires annual testing. Districts must keep and publish data showing how subgroups of students perform. Schools that don't meet requirements for two years or longer face increasingly tough consequences, from bus-ing children to higher performing schools to offering tutoring and replacing staff.

The test results were eye-opening, recalled Miller, the top Democrat on the House

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DR. STEWART B. FULBRIGHT

NCCU Mourns Death of Stewart Fulbright, Professor And Tuskegee Airman

Dr. Stewart B. Fulbright, 92, a Tuskegee Airman during World War II who later became the first dean of the School of Business at North Carolina Central University, died in Durham on Jan. 1.

Born in Springfield, Mo., in 1919, Dr. Fulbright attended Lincoln University in Jefferson City, Mo., graduating in 1941 with a bachelor's degree in French. He remained at Lincoln as an instructor in French.

In early 1943, he enlisted in the Army Air Corps, which in 1941 had created a program in Tuskegee, Ala., to train African-American aviators. He was one of nearly 1,000 men who trained there to be pilots, navigators and bombardiers during the war. He was commissioned as a second lieutenant and pilot in December 1943 and served as a B-25 bomber pilot for the rest of the war. His all-black 477th Bombardment Group was preparing for deployment in the Pacific theater when the war ended in 1945.

After completing his military service, he enrolled at the University of Chicago, where he received an MBA degree in 1947. He joined the faculty of the Commerce Department at North Carolina College (now NCCU) that same year. He subsequently earned a Ph.D. in business administration from Ohio State University in 1953.

He served as acting dean of the Undergraduate School from 1966 to 1968, then returned to the Commerce Department as its chair in 1968. When the department became the School of Business in 1972, he became its first dean, serving in that position until 1976. After his retirement in 1982, Dr. Fulbright was honored by the university with the title of professor emeritus.

"Everyone thought of him as a friend," said Dr. Howard Fitts, former chair of Public Health programs at NCCU and a longtime colleague. "He was well-liked and respected, and students felt at ease with him."

NCCU Chancellor Charlie Nelms added, "During my tenure here, I have always felt I owed a great debt of gratitude and respect to the men and women who founded and built this university. I know I stand on the shoulders of giants, and Dr. Fulbright was one of those giants."

Dr. Fulbright remained in contact with his wartime comrades through his active membership in the Wilson V. Eagleson Chapter of Tuskegee Airmen, based in Goldsboro. He was among the Tuskegee Airmen present in Washington in 2007 when they were awarded the Congressional Gold Medal.

Dr. Fulbright is survived by his wife of 68 years, Della Marie Fulbright; a daughter, Gina Fulbright-Powell, of Silver Spring, Md., a son, Edward, of Durham; a granddaughter, Camille Fulbright; and a sister, Marilyn Fisher, of Las Vegas, Nev.

The funeral service will be on Saturday at 1 p.m. at Covenant Presbyterian Church, 2620 Weaver St. in Durham. The family will receive friends an hour before the service.

The family requests that donations be sent to two institutions that Dr. Fulbright loved. One is the Dr. Stewart B. Fulbright Memorial Fund at NCCU. Contributions should be sent to the NCCU Foundation, P.O. Box 19363, Durham, N.C., with the Fulbright Memorial Fund in the memo line. The other is the Covenant Presbyterian Church Building Fund, 2620 Weaver St. Durham, NC 27707.



Hillside Band members perform at Kwanzaa celebration Jan. 1 (Photo by Lawson)

Democrats deposit \$4 million in North Carolina banks ahead of convention

(AP) - Democrats are trying to show that this year's national convention nominating President Barack Obama for a re-election run will translate into money for North Carolina.

The CEO of the Democratic National Convention Committee is announcing \$2 million in deposits each with two minority-focused financial institutions in Durham.

Convention committee CEO Steve Kerrigan says the deposits are being made with Mechanics and Farmers Bank and the Latino Community Credit Union to help the institutions increase their loan activity. Kerrigan says the money will stay in accounts that generate no interest for the Democrats, who will tap the funds slowly as money is needed for convention expenses.

The Jan. 4 loan announcement was the first event by the convention committee outside Charlotte, which will host the four-day convention later this year.