Marshall Memo 258

A Weekly Round-up of Important Ideas and Research in K-12 Education
November 3, 2008

In This Issue:

Quotes of the Week

"[P]eople matter. Very little about history is inevitable."

Richard Haass, President, Council on Foreign Relations, in *Newsweek*, Nov. 3, 2008

"Once you ask them, 'Can you explain how you did that?', you see there are a lot of misconceptions out there. They never had to visualize what they knew. It was just memorization."

Roxane Dyk, a South Dakota math coach, quoted in "Math Specialists Roam South Dakota to Help Elementary Teachers" by Sean Cavanagh in *Education Week*, Oct. 29, 2008 (p. 8)

"The United States promises equal educational opportunity to everybody, but we don't have it. It's not unpatriotic or un-American to say that. This whole business about why don't teachers just teach the content presumes there is an apolitical body of content, and there's not."

Patricia Hinchey, a Pennsylvania State education professor (see item #6)

"Why are we taking this survey? No one will listen to us."

A high-school student when asked to fill out a questionnaire (see item #3)

"We are not communicating with kids very well. It's almost as if we are in two different worlds."

Russell Quaglia (*ibid.*)

1. What We Know – and Don't Know – About Merit Pay for Teachers

In this article in *Education Week*, Vanderbilt professors James Guthrie and Patrick Schuermann say that 10 percent of U.S. school districts are experimenting with some form of performance pay for educators. Because some of these districts are large (including New York City), these initiatives are affecting at least 20 percent of teachers and students. Guthrie and Schuermann are somewhat surprised that the numbers are so large, given the disappointing results when merit pay was tried in the 1980s and the fact that there is "only the slenderest research base" supporting such initiatives. "As yet," they report, "there are no rigorous empirical validations to show that U.S. performance-pay programs in education are linked to substantial and sustained successes, either in elevating student achievement or in accelerating the occupational attractiveness of education for a wider pool of able teacher candidates."

They proceed to give a helpful summary of what the research tells us – and doesn't tell us – about performance pay:

• *What we know with a high degree of certainty:*

- Good teachers make a significant difference to student achievement, regardless of students' entering achievement and home background.
- Having good teachers for two or more years can roll back students' accumulated achievement deficits.
- However, economically disadvantaged students are much less likely to have effective teachers than advantaged students.
- The way most schools currently decide on teacher pay – seniority and accumulated academic credits – has reduced past injustices and made the compensation system more predictable and objective, but it is only weakly linked to improved student achievement.

• *What we suspect is true but don't know for sure:*

- Rewards can shape employees' efforts. However, working hard on goals that are rewarded can result in working less hard on other important stuff.
- Incentive programs "almost always necessitate trade-offs between desirable qualities," say Guthrie and Schuermann, "such as transparency on the one hand and accuracy of performance measurement on the other." In other words, schools may become secretive with the criteria and data being used for performance pay.
- Hastily thrown-together and overly simple plans result in snafus and disenchanted employees. The authors say that leaders must plan well and be nimble with mid-course corrections.

- There are three common problems with performance pay: (a) Inaccurate, incomplete, or unfair measures of student achievement and other outcomes; (b) Not explaining the program well and getting commitment from stakeholders; and (c) Underestimating costs and being unable to pay as promised and sustain the program.

• *What we don't know:*

- Whether financial rewards improve teaching and student achievement;
- Whether group awards or individual awards work best;
- The ideal mix of financial and non-financial rewards;
- How performance pay affects the supply of good teachers;
- What happens when districts offer higher pay to teachers in certain subject areas and in hard-to-staff schools;
- Which improves achievement most: performance pay, reducing class size, relying more heavily on educational specialists, or more extensive use of technology.

Guthrie and Schuermann conclude that schools should experiment with different kinds of performance pay and monitor results very closely, quickly dumping approaches that don't work.

"The Question of Performance Pay: What We Know, What We Don't Know, and What We Need to Know" by James Guthrie and Patrick Schuermann in *Education Week*, Oct. 29, 2008 (Vol. 28, #10, p. 24-26), http://www.edweek.org/ew/articles/2008/10/29/10guthrie_ep.h28.html

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2. Parent Involvement in Low- and High-Performing High Schools

In this *Education Week* article, Catherine Gewertz reports on a recent Civic Enterprises study of parent involvement at the high-school level (see link below). Based on a survey of a nationally representative sample of 1,006 parents and focus groups in several cities, the report found that low-performing high schools did a much worse job reaching out to families. "This failure on the part of schools leads parents to lower levels of involvement," it said.

Commenting on the report, Gerald Tirozzi, head of the National Association of Secondary School Principals, acknowledged that it's hard to get parents of high-school students involved because most high schools are large and kids don't want their parents around. But he said that NASSP has found that "breakthrough" high schools that launch more students into college have been successful with parent involvement. "What you need is principals and faculty who understand this," said Tirozzi. "Where you find solid leadership, these things do happen."

The Civic Enterprises study describes the stark contrasts between low-performing and high-performing high schools, starting with the fact that minority parents have high aspirations for their children and want to help:

• More than 90 percent of African-American and Hispanic parents said it was very important for their children to get an education that leads to college, compared to 78 percent of white parents.

• 85 percent of parents in low-performing schools said it is important for them to be involved as advocates in their children's high school, versus 78 percent of parents in high-performing schools.

• Parents in low-performing schools berated themselves for not being sufficiently involved in their children's education: 40 percent said they were doing enough, versus 70 percent in high-performing schools. The former mostly blamed time and scheduling conflicts, but also their lack of knowledge and poor communication by the school.

• Only about 50 percent of parents in low-performing schools reported having good conversations with most of their children's teachers, versus 70 percent of parents in high-performing schools.

• Only 40 percent of parents in low-performing schools said educators were doing a good job communicating with them about their children's academic performance, versus 80 percent of parents in high-performing schools.

• Only 30 of parents in low-performing schools said they were given a chance to participate in choosing their children's courses, versus more than 67 percent of parents in high-performing schools.

• Far fewer parents in low-performing schools thought their schools encouraged their involvement or did a good job informing them of graduation and college requirements.

• Fewer than 15 percent of parents in low-performing schools said their schools did a good job challenging their children or keeping them engaged, versus more than half of parents in high-performing schools.

• Only 20 percent of parents in low-performing schools thought educators were doing a good job preparing their children for college, versus 67 percent in high-performing schools.

• In focus groups, parents said they wanted early warning when their children were having problems and a system for designing a plan for student success in eighth or ninth grade.

• Parents also said it was important to give special support to students during the tricky transition to high school.

• Parents requested a single point of contact in the school – an advisor who was highly knowledgeable about their child's situation who could help them deal with the "forbidding cave" of high schools (a term coined by Bob Wise, former governor of West Virginia) and understand what was required for their child to be successful.

"Parents Show Strong Interest in School Involvement" by Catherine Gewertz in *Education Week*, Oct. 29, 2008 (Vol. 28, #10, p. 6-7), http://www.edweek.org/ew/articles/2008/10/22/10parent.h28.html. The full Civic Enterprises report, "One Dream, Two Realities: Perspectives of Parents on America's High Schools," is available at http://civicenterprises.net/pdfs/onedream.pdf .

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3. The Power of Surveying Students – and Listening to What They Say

"Why are we taking this survey? No one will listen to us." This is a common reaction when high-school students are asked to fill out questionnaires. In this *Harvard Education*

Letter article, Massachusetts-based education writer Laura Pappano describes the way some schools actually follow up on their students' opinions.

Indiana University researcher Ethan Yazzie-Mintz has found that about 10 percent of high-school students are highly engaged in school, while 15 percent are firmly disengaged. The 75 percent in the middle don't have strong connections with teachers and find school work boring and irrelevant. According to Stanford psychologist William Damon, "too many schools have neglected the motives and feelings and experiences of the students and have relied on that old behaviorist model that you stimulate them and expect a response."

SUNY Buffalo professor Jeremy Finn believes that the decision to drop out of school is the culmination of a long path of increasing disengagement. He suggests that questionnaires are a way to pierce students' disengagement by posing a series of provocative questions. *Does the school make you feel anonymous? Are our discipline policies excessively strict? Do courses feel irrelevant to you? Is there enough academic and social support?*

Russell Quaglia, who runs the Quaglia Institute for Student Aspirations, recommends that schools survey their students regularly. One of his questionnaires asks students to respond to the following statements. (In parentheses after each one is the percent of students who agreed or strongly agreed in a 2008 national study.)

• Teachers care if I am absent from school. (45 percent)

Strongly agree Agree Neutral Disagree Strongly disagree

• Teachers care about me as an individual. (48 percent)

Strongly agree Agree Neutral Disagree Strongly disagree

• My classes help me understand what's happening in my everyday life. (38 percent)

Strongly agree Agree Neutral Disagree Strongly disagree

• I learn new things that are interesting to me at school. (64 percent)

Strongly agree Agree Neutral Disagree Strongly disagree

• School is preparing me well for my future. (65 percent)

Strongly agree Agree Neutral Disagree Strongly disagree

Quaglia's 15-minute My Voice survey has 56 questions, with seven under each of these headings:

- Belonging
- Heroes
- Sense of accomplishment
- Fun and excitement
- Curiosity and creativity
- Spirit of adventure
- Leadership and responsibility
- Confidence to take action.

Quaglia recommends giving a companion survey to staff, which usually reveals gaps between student and staff perceptions. For example, in one survey 96 percent of teachers said they are excited to work with students, but only 56 percent of students believe their teachers enjoyed

working with them. “We are not communicating with kids very well,” says Quaglia. “It’s almost as if we are in two different worlds.”

At Portsmouth Middle School in New Hampshire, long-time principal John Stokel administered the My Voice questionnaire and was shocked that only 57 percent of students felt teachers cared about their problems and feelings. After getting more detail from focus groups, Stokel started a 30-minute advisory program every Monday morning, and a follow-up My Voice survey recorded an 11-point jump in responses to the statement, “School is a welcoming and friendly place.” But there was a lot more to address, including students’ complaints about achievement-grouping in math classes starting in seventh grade.

Follow-up after surveys is crucial, says Douglas Willms of the University of New Brunswick, whose company, The Learning Bar, designed the Tell Them From Me survey. One school in Saskatchewan uses a large video screen to report survey follow-up to its students. On the board, he lists:

- We asked you…
- You said…
- We’re doing this…

Students can see clearly how their input is influencing school policies.

When looking at survey results, school leaders often need to bite their tongues and resist the urge to say, “Aw, the kids are making this up” in response to certain findings that run counter to adults’ perceptions. For example, students in one school trashed an expensive technology program. When probed in focus groups, students explained why: they believed the school cared more about its external image – visitors were impressed with fancy computer labs – than about the quality of classroom instruction. Point well taken!

In a high school in Cleveland, researcher Kristien Zenkov tried a different way of tapping student opinions. He asked students three questions:

- What do you think is the purpose of this school?
- What helps you be successful?
- What gets in the way?

He then had students respond with digital photographs accompanied by text developed in conversations with peers and mentors. The results of this 2006 project are available at http://www.throughstudentseyes.org and seem to have re-involved the students who were disengaged. “The type of engagement we have seen in these kids is [like] night and day,” says Zenkov. “Their relationship with school has shifted. In retrospect, what we’ve realized is that the simple act of asking is really the be-all and end-all of the work. The fact that we have asked them and paid attention is the answer – that we were actually paying attention to their responses.”

A challenge for schools administering surveys is getting overwhelmed by the data and not knowing where to focus. Yazzie-Mintz advises school leaders to zero in on one or two areas of concern. For example, the principal of a secondary school in York District in Canada noticed that students reported much higher rates of depression and anxiety than the school’s counselors believed to be the case. In addition, the survey gave him ammunition to persuade

cafeteria staff to add more vegetarian meals and lower-priced lunch choices, and to replace three staff members and a manager who were regularly antagonizing students.

And a predominantly Hispanic high school in Arkansas found that 94 percent of students said they planned to attend college – but only half reported knowing how to prepare for admission and which courses they needed to take. The data led to a wholesale revision of counseling and college preparation.

"In schools," says Yazzie-Mintz, "we adults are used to making all the decisions." Surveys can reveal that "kids are smart, kids have insight, kids can actually help us to do this work [that] we need to do better."

"Answers and Questions: Schools Survey Their Students – and Grapple with the Results" by Laura Pappano in *Harvard Education Letter*, November/December 2008 (Vol. 24, #6, p. 4-6)
To purchase this issue, go to http://www.edletter.org/order/orderissue.shtml
The High School Survey of Student Engagement is at http://www.indiana.edu/~ceep/hssse/.
The Tell Them From Me Survey is at http://www.thelearningbar.com.
The Quaglia Institute for Student Aspirations is at http://qisa.org.

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4. The "Marshmallow Test" – Can Kids Be Taught to Defer Gratification?

In this *Boston Globe* article, Carey Goldberg reports that a classic experiment done in the 1960s by Columbia psychologist Walter Mischel is being revisited in light of new brain-scanning technology. In the 1960s, Mischel had young children sit at a table with a tempting treat in front of them – a marshmallow or lollipop – and told them that if they could wait until an adult returned, they could have *two* treats, but if they couldn't wait, they'd only get the one they scarfed down. Follow-up studies with the original subjects (now in their 40s) have shown that those who restrained themselves the longest (it was 20 long minutes before the adult returned) did markedly better in SAT scores, academic achievement, and more.

The marshmallow test has been widely discussed, raising a host of questions: What is involved in delaying gratification? Why does it correlate with success in life? Why do some people fail the test? And is self-control innate – or can it be learned? Recently, scientists have used brain scans to watch what happens when people are presented with marshmallow-like temptations. Researchers at Yale found that delaying gratification involves the anterior prefrontal cortex, an area that deals with abstract problem-solving and keeping track of goals. It appears that people who can wait are successful in shifting from the "hot," more primitive areas of their brain to the "cool," more rational areas. People who do well on the marshmallow test are able to imagine a future event clearly and keep it in mind. Jeremy Gray, co-author of the study, calls this "far-sightedness."

But what is the mechanism? Is it the ability to stay focused on a long-term goal? The ability to block out short-term temptations? The ability to visualize the downside of giving in to temptation? Or is it just being smart? Perhaps, says one argument, the children who can resist temptation are already smart, and apply the same innate intelligence to doing well on tests and achieving in life. But there's a counter-argument: think of all the very intelligent

people who give in to temptation. "It's quite possible to be very smart and not be able to inhibit your impulses," says Mischel.

Researchers are continuing to do brain scans to answer these questions and better understand the mechanisms for deferring gratification.

"Marshmallow Temptations, Brain Scans Could Yield Vital Lessons in Self-Control" by Carey Goldberg in *The Boston Globe*, Oct. 22, 2008 (p. 1, A9)
http://www.boston.com/news/science/articles/2008/10/22/marshmallow_temptations_brain_scans_could_yield_vital_lessons_in_self_control/

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5. The Sorry State of Science Curriculum Standards and Textbooks

In this article in *Elementary School Journal*, Jo Ellen Roseman and Mary Koppal of the American Association for the Advancement of Science (AAAS) bemoan the way that inconsistent, often flawed state standards have undermined the quality of science textbooks and classroom instruction. The authors praise two attempts at national guidelines – the National Research Council's *National Science Education Standards* and AAAS's *Benchmarks for Science Literacy*, and say that both should serve as starting points for a more coherent national effort to raise students' science achievement. Grade-by-grade science standards, they say, should be:

- Significant – selected from the myriad interesting topics that could be covered;
- Coherent – carefully connected to the overall science learning progression;
- Specific – precise enough to make clear what students need to learn;
- Age-appropriate – developmentally suited to each grade level;
- Accurate – that is, for the grade level at which they are taught.

Roseman and Koppal take one example at the middle school level – the particle model of matter – and note that in only 19 states do science standards clearly identify what students should learn. Here is a summary of appropriate learning outcomes from the *Benchmarks* document:

> All matter is made up of atoms, which are far too small to see directly through a microscope. The atoms of any element are alike but are different from atoms of other elements. Atoms may stick together in well-defined molecules or may be packed together in large arrays. Different arrangements of atoms into groups compose all substances. Atoms and molecules are perpetually in motion. Increased temperature means greater average energy of motion, so most substances expand when heated. In solids, the atoms are closely locked in position and can only vibrate. In liquids, the atoms or molecules have higher energy, are more loosely connected, and can slide past one another; some molecules may get enough energy to escape into a gas. In gases, the atoms or molecules have still more energy and are free of one another except during occasional collisions.

Thirty-one states, say the authors, have no goal at all for these ideas, or only vague statements. And some states have placed this topic at inappropriate grades, including California, which requires third graders to understand that "each element is made of one kind of atom and the elements are organized in the periodic table by their chemical properties," and Louisiana, which requires fifth graders to be able to "describe the structure of atoms and the electrical charges of protons, neutrons, and electrons." Objectives like these, say Roseman and Koppal, promote rote learning and produce confused, poorly educated students.

But the biggest problem caused by 50 different sets of state standards is enormous textbooks (some are 750 pages long) that comprise super-sets of standards, far more than teachers can reasonably cover in a year. A recent study by AAAS's Project 2061 was highly critical of middle- and high-school science texts (see links below). "Overall, the textbooks lacked a meaningful narrative to weave the key ideas into a coherent story, such as by showing how they can be used to explain a variety of observable phenomena," write Roseman and Koppal, "and rarely tried to extend previously encountered ideas to new contexts or to connect different applications of the same idea to each other."

The review also criticized the instructional strategies in the textbooks – "unfocused and inadequate to support effective teaching and learning… rarely took account of students' beliefs that can interfere with learning, did little to scaffold students' efforts to make meaning of phenomena and representations, and offered little to encourage students to develop and use their science ideas" – and also of the texts' assessment resources – "poorly aligned to the content in benchmarks and standards or were focused largely on relatively trivial aspects of the content" – and their teacher support materials. Of the nine middle-school science programs evaluated, Project 2061 didn't find one that was effective in helping students learn the key ideas identified as being essential to science literacy by the *Benchmarks* and *NSES* documents.

All this leaves schools in a difficult position. They can't ignore their state standards, but they want to graduate students who are scientifically literate. Clearly they need to assess the quality of their state standards vis-à-vis high-quality learning outcomes (perhaps they are fortunate enough to live in a state with good standards), take a critical look at the textbooks being used, and try to put together a K-12 sequence of learning that will serve students well. Roseman and Koppal recommend that schools draw on documents such as the American Federation of Teachers' 2003 analysis of state standards, the AAAS's *Atlas of Science Literacy* (2007), which has 100 topics that are central to science literacy, *Benchmarks*, and other documents that do a first-rate job of outlining what students need to know and be able to do.

Finally, the authors push for national standards to bring order and quality out of the current chaos.

"Using National Standards to Improve K-8 Science Curriculum Materials" by Jo Ellen Roseman and Mary Koppal in *Elementary School Journal*, November 2008 (Vol. 109, #2, p. 104-122), no e-link available. The Project 2061 analysis of high-school science textbooks is available at http://www.project2061.org/publications/textbook/hsbio/report/crit-used.htm and the review of middle-school science textbooks is available at http://www.project2061.org/publications/textbook/mgsci/report/index.htm.

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6. Teaching Social Justice in Schools

In this *Education Week* article, Kathleen Kennedy Manzo reports that the election-year controversy surrounding William Ayers has focused attention on "social-justice" teaching in public schools. Proponents believe students should learn that American society is institutionally racist, sexist, and classist and systematically discriminates against women, nonwhites, working Americans, and the poor. David Horowitz, a California-based foundation head, doesn't agree. He says that social-justice teaching is "shorthand for opposition to American traditions of individual justice and free-market economics," and that this approach goes against teachers' responsibility to provide "a solid academic education for all the nation's children."

Not so, say social-justice advocates, among them two magazines – *Rethinking Schools* and *Radical Teacher* – and a number of groups, including Educators for Social Responsibility, Teaching for Change, Teachers 4 Social Justice, and a special-interest group affiliated with AERA. They contend that their approach epitomizes American values and helps students understand how democracy really works. "The United States promises equal educational opportunity to everybody," says Patricia Hinchey, a Pennsylvania State education professor, "but we don't have it. It's not unpatriotic or un-American to say that. This whole business about why don't teachers just teach the content presumes there is an apolitical body of content, and there's not." Many in this camp were inspired by Paulo Freire's 1970 book, *Pedagogy of the Oppressed*, and see their mission as helping disadvantaged students navigate a system that is not always equitable.

Ayers, now an education professor at the University of Chicago, has been keeping a low profile during the election season but has spoken out in the past. Last spring, he sent this message to the blogger Eduwonkette: "All schools serve the societies in which they're embedded – authoritarian schools serve authoritarian systems, apartheid schools serve an apartheid society, and so on. Practically all schools want their students to study hard, stay away from drugs, do their homework, and so on. In fact, none of these features distinguishes schools in the old Soviet Union or fascist Germany from schools in a democracy. But in a democracy, one would expect something more – a commitment to free inquiry, questioning, and participation; a push for access and equity; a curriculum that encouraged free thought and independent judgment; a standard of full recognition of the humanity of each individual. In other words, social justice."

A number of schools have been set up around these broad principles, reports Manzo, including Social Justice High School in Chicago. Principal Rito Martinez says, "Our school, with its social-justice theme, encapsulates the very powerful notion that a community was able to rise up and galvanize itself around the view of education as a basic human right. But for us it means making sure that we're educating children at high levels as a means of addressing the typical urban student maladies."

Assistant principal Chad Weiden agrees: "Social justice is often perceived as a leftist perspective," he says, "but is it leftist to really have the opportunity for every kid in that neighborhood, if they want it, to get the knowledge and skills to succeed and come back and

work in their community? The most American of values is what we all rally around, which is the betterment and empowerment of our community."

"Election Renews Controversy Over Social-Justice Teaching" by Kathleen Kennedy Manzo in *Education Week*, Oct. 29, 2008 (Vol. 28, #10, p. 1, 12-13), http://www.edweek.org/ew/articles/2008/10/29/10justice_ep.h28.html

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7. Answers to Last Week's Quiz on Teachers' Legal Liability

Here are the answers to the six cases summarized last week, courtesy of Matthew Militello and David Schimmel in *Principal View*:

• Case #1: Mr. Jones breaks up a fight in the hallway, and as a result, a second-grade student hits his head on the floor and has a serious concussion. Is Mr. Jones liable?

No. Jones has a duty to take reasonable care to prevent students from being injured. If Jones is using reasonable force while breaking up the fight and unintentionally injures a student, he is not liable. Some states are explicit; Massachusetts, for example, permits teachers to use "reasonable force to protect students, other persons, or themselves from assault or imminent, serious, physical harm." In addition, the federal Teacher Liability Protection Act (TLPA) is designed to protect teachers from liability if their actions are taken to "maintain order or control in the classroom." That said, if breaking up a fight is likely to result in the teacher being injured (for example, intervening in a fight between two large high-school students), the duty is less clear. But teachers "always have the duty to seek help when circumstances are beyond their control," say Militello and Schimmel.

• Case #2: Mr. Harvey repeatedly warns one of his third graders to stay in his seat, but the boy continues to jump up and disrupt the class. Mr. Harvey (against the advice of his colleagues) walks over and puts a restraining hand on the boy's shoulder. Is Mr. Harvey liable?

No. "The notion that a teacher should never touch a student is nonsense," say Militello and Schimmel. "[T]here are many situations where teachers may use reasonable force to protect students and reasonable restraint to enforce discipline and order." Of course inappropriate or sexual touching is illegal, but this was not true in Harvey's case. The goal of TLPA is to protect teachers from frivolous lawsuits in situations like this.

• Case #3: Ms. Martinez leaves her fifth-grade class for ten minutes to make copies of some science worksheets, telling her students to work quietly while she is gone. In her absence, several students begin to throw spitballs, paper airplanes, and pencils. A pencil flies into a girl's eye, resulting in her losing sight in that eye. Is Ms. Martinez liable?

Probably. Martinez has a duty "to protect her students from injuries caused by other students when such injuries could have been prevented by reasonable supervision," say Militello and Schimmel. If a "reasonably prudent teacher" would not have left the class unattended, a judge or jury could well conclude that Martinez was negligent and was responsible for the injury. However, if there is an emergency that causes a teacher to leave a classroom briefly, the teacher would probably not be liable for injuries that occur.

• Case #4: The same situation as #3, but instead of students in Ms. Martinez's classroom throwing objects while she is gone, a student on the playground outside throws a baseball and shatters one of the classroom's windows, spraying glass and blinding a boy in one eye. Is Ms. Martinez liable?

No. This injury was not caused by Martinez's absence, and could just as easily have happened while she was in the classroom.

• Case #5: Mrs. King is on playground duty, but instead of observing students, she chats with a colleague. A first grade girl runs across the playground, trips on her untied shoelace, falls on her face, breaks three teeth, and needs seven stitches to close a nasty cut. Is Mrs. King liable?

Probably not. The girl's injuries were caused by an accident that would have happened even if King was watching students more carefully. However, King's principal might well take disciplinary action against her for not being more attentive while on recess duty.

• Case #6: On a different day, Mr. Charles is on recess duty and some students start pushing Sally around at the other end of the playground. Mr. Charles is engrossed in a conversation and pays no attention to Sally's call for help. Five minutes later, Sally is pushed to the ground and receives a concussion. Is Mr. Charles liable?

Yes. This injury could have been prevented by reasonable supervision.

"The Principal As Law Instructor: A Lesson Plan for Reducing Your Teachers' Fear of Liability" by Matthew Militello and David Schimmel in *Principal View*, Fall 2008 (Vol. 23, #1, p. 8-11), no e-link available. The authors can be reached at matm@educ.umass.edu and Schimmel@educ.umass.edu.

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Do you have feedback? Is anything missing?

If you have comments or suggestions, if you saw an article or web item in the last week that you think should have been summarized, or if you would like to suggest additional publications that should be covered by the Marshall Memo, please e-mail: kim.marshall8@verizon.net

About the Marshall Memo

Mission and focus:

This weekly memo is designed to keep principals, teachers, superintendents, and others very well-informed on current research and effective practices in K-12 education. Kim Marshall, drawing on 37 years' experience as a teacher, principal, central office administrator, and writer, lightens the load of busy educators by serving as their "designated reader."

To produce the Marshall Memo, Kim subscribes to 44 carefully-chosen publications (see list to the right), sifts through more than a hundred articles each week, and selects 5-10 that have the greatest potential to improve teaching, leadership, and learning. He then writes a brief summary of each article, pulls out several striking quotes, provides e-links to full articles when available, and e-mails the Memo to subscribers every Monday evening (with occasional breaks; there are about 50 issues a year).

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Publications covered

Those read this week are underlined.

American Educator
American Journal of Education
American School Board Journal
ASCD, CEC SmartBriefs, Daily EdNews
Catalyst Chicago
Changing Schools (McREL)
Ed. Magazine
EDge
Education Digest
Education Gadfly
Education Next
Education Week
Educational Leadership
Educational Researcher
Edutopia
Elementary School Journal
Essential Teacher (TESOL)
Harvard Business Review
Harvard Education Letter
Harvard Educational Review
JESPAR
Journal of Staff Development
Language Learner (NABE)
Middle Ground
Middle School Journal
New York Times
Newsweek
PEN Weekly NewsBlast
Phi Delta Kappan
Principal
Principal Leadership
Principal's Research Review
Reading Research Quarterly
Reading Today
Rethinking Schools
Review of Educational Research
Teacher Magazine (online)
Teachers College Record
The Atlantic Monthly
The Language Educator
The New Yorker
The Reading Teacher
Theory Into Practice
Tools for Schools/The Learning Principal