

"Federation Corner" column
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Weast's uneasy truce with Special Ed is now war

by Wayne Goldstein

A search of one news archives of the last 7+ years shows how MCPS Superintendent Weast, who continues to maintain an iron grip on our county's secondary public education system, eventually turned his cold war against special education into a hot one. The archives reveal a superintendent trying since 1999 to figure out what to do with special education students. He has appeared willing at times to spend money to help them but just as willing to consider other more subtle "cold war" ways to "deal" with the problem they represent to him. The latest turn in this years' long effort, now an active "hot war," is to disperse and even hide them throughout the county's 200 regular schools so that their persistently low test scores will have a minimal impact on the reputation of an education bureaucrat obsessed with raising test scores by any means necessary.

Consider excerpts from these articles from the Washington Post as a road map perhaps pointing inevitably toward Weast's latest scheme to close Special Education Learning Centers along with the Mark Twain School and Kingsley Wilderness Project and cause their concentration of low-scoring students to disappear into the larger system:

December 14, 1999 - "An African American male who acts up in class, sasses a teacher or gets in a fight at a Montgomery County school is more likely to be labeled emotionally disturbed than a white student. And, according to a new report, he is more likely than an emotionally disturbed white male to be bused to the county's most restrictive school [the Mark Twain School]. This disparity shows up most clearly in two sets of maps that Superintendent Jerry D. Weast will present today to the Board of Education... [T]he maps show that most white students identified as emotionally disturbed are sent to special programs in their nearby home schools... The curriculum is 'watered down,' said Weast's executive assistant. The system, Weast said, only perpetuates 'the artificial need for special education...' 'You can't get away from the fact that there's a racial issue here,' said [the] director of the county's special education program. 'Is it racist? We have to figure that out. Can you be a benign racist? I don't think so.' "

October 10, 2003 - "Thirty Maryland elementary schools -- most from the Washington area -- failed to meet standards required by the No Child Left Behind law because they assisted thousands of children who have disabilities or limited English skills on a key standardized test, state and local officials said yesterday... Terms of the new federal law's [No Child Left Behind] testing requirements clash with decades-old legislation that requires some children to receive special assistance in the classroom and on examinations. Montgomery County Superintendent Jerry D. Weast said they are concerned that if the federal government does not resolve the conflict soon, students still learning English or in special education classes will be blamed for the undesirable "needs improvement" label attached to schools that fail to meet state-imposed standards. Weast said that in Montgomery, the scores were invalidated for 461 special education students and 371 students still learning English."

November 13, 2003: "High school students throughout Montgomery County could choose from a wide range of career and technology programs not far from their home schools under a proposal in Superintendent Jerry D. Weast's capital budget request. Weast's capital budget proposal also suggests a study of whether the Mark Twain School, which serves 123 middle and high school students with emotional disabilities, should be taken over by a private provider next fall. Since 1996, the Office of Civil Rights at the U.S. Department of Education has been asking the school system to address the racial disparities in special education placements, and has noted Twain specifically. Weast said that such a change [privatization] could address the fact that not all of Twain's teachers have intensive training in the subjects they teach, contrary to the federal No Child Left Behind Act."

December 11, 2003: "Weast's budget proposal to the Board of Education includes plans to eliminate 54 positions. Funding would be cut for 20 high school literacy and math specialists, 13 middle school teachers dedicated to inclusion of special education students in regular classrooms and five coaches for new teachers. Much of that money would go instead to train teachers in special education and English for Speakers of Other Languages instruction. The county plans to bring more special education students into regular classrooms, so more teachers will be responsible for students who previously were in specialized classrooms and learning centers. 'There has been concern about teachers not really understanding how to teach those students successfully,' said budget director. Weast added: 'You can do a lot for a few or can do a great deal for many. We're trying to build capacity of all of our staff members to support the diversity and the ESOL and the special education.' "

January 31, 2004 - "School superintendents representing 17 Washington area districts and two Catholic school systems presented a plan yesterday to fix what they consider the most damaging part of the federal No Child Left Behind law -- the annual testing of nearly all disabled and limited English-speaking students. Weast complained this year that schools in his district judged not to have made adequate progress under the law were penalized for giving special accommodations -- such as teachers reading parts of the test -- in accordance with special education law.

"The superintendents said they have no quarrel with holding all schools accountable for their students' progress. But they worry that the law's good parts might be overturned if enough teachers and parents are alienated by tough tests for students who have not had time to overcome severe academic problems. "We tried to come across that we are not the enemy," Weast said. The No Child Left Behind law sticks a "needs improvement" label not only on schools whose whole student bodies fail to reach annual improvement targets but also on schools that have even a single subgroup of students that fails to reach its target.

"The subgroups include special education students and students with limited English skills, as well as low-income students and various racial minorities. Once a student's academic work improves to the point where she is no longer labeled special education or limited English, her scores are not counted as part of that subgroup. The superintendents said this penalized schools for doing a good job, since taking the highest scores out of a subgroup made it less likely it would reach its annual target."

April 27, 2004 - "About 75 people offended by a school system attorney's jokes about special education students and their parents marched up Rockville Pike yesterday, rallying at the Montgomery County Board of Education with signs such as 'Attitudes are Barriers to Education.' The attorney... presented a satirical 'newscast' at a conference last year attended by special education lawyers who represent school systems. Among his jokes: special education students celebrating that they were awarded new parents; congressmen discussing whether they could get an aide to provide them with sex as a special education service; and a sportscast-like play-by-play of how a school system denied a family the placement sought for a child. [The school system hearing officer] recommended that the school system take no action, and Chief Operating Officer [COO] concurred. "I find no violation of [school system] policy or regulation," [the COO] wrote in a letter to complainants."

December 15, 2004 - "The student achievement initiatives also include \$3.3 million for improving special education, the largest allocation ever in Montgomery schools. The 2006 budget creates space for 54 additional special education teachers and speech pathologists, as well as new staff members for preschool special education."

June 28, 2005 - "The Bush administration has sided with school systems in a special education dispute between a disabled student's parents and the Montgomery County public schools that is before the U.S. Supreme Court. 'Public officials, including public school officials, are presumed to act in good faith compliance

with their legal obligations,' [U.S. Solicitor General] Clement said in the brief. 'Thus, where, as here, a party alleges that those officials violated their legal duties, the complaining party generally bears the burden of proof.' In Schaffer v. Weast, the plaintiff is a former Montgomery student named Brian Schaffer who doctors said has attention-deficit hyperactivity disorder. His parents, Jocelyn and Martin Schaffer, sought reimbursement for his private school tuition when they became dissatisfied with the public schools' special education options."

At this week's BOE meeting, Weast held court with five high school principals to praise himself effusively by praising them for their schools being in the top 100 high schools, according to Newsweek Magazine, based on the numbers of students taking AP exams and getting certain scores. He also claimed that all 23 MCPS high schools are in the top 3% of U.S. high schools. Since Weast's greatest strength is slicing and dicing numbers and percentages to create the best possible result, regardless of the facts, this latest performance instead illustrates how important image is and why any student who does not add to this never-ending public polishing of that image must be dealt with, one way or the other.