

**Montgomery County Board of Education
Strategic Planning Community Forum**

September 18, 2008

**Written Statement of Alice L. Kirkman
On behalf of
United to Save Special Education (USSE)**

[Oral testimony will be an abbreviated version of this statement.]

Good evening. My name is Alice Kirkman, and I'm here on behalf of the group United to Save Special Education. We're parents of children with special needs who also belong to MCNeeds, a group of over 1600 members. We consider ourselves one of the many advocacy arms of this important organization.

The Strategic Plan priority we focus on tonight is **Goal #1, "Ensure success for every student," including "removing barriers to learning."**

Be a Firewall

It's said that the measure of a society is how it treats its weakest, most vulnerable members. That's true of a school system too.

During difficult economic times, when there will be a temptation to cut the services for children with special needs, you must be the firewall to protect some of our most vulnerable and marginalized students -- those with physical, intellectual, emotional or learning disabilities.

You must do this to an extent you haven't done before. In fact, we implore you to stop the systematic dismantling of services and programs for students with disabilities and special needs going on now under the current administration, actions that erect -- not remove -- barriers to learning for children with certain disabilities.

These regressive measures began years before the current budget crunch, and undo decades of special education reforms in Montgomery County.

Even in a time of tight budgets, saving special needs services can be done in a way that doesn't penalize general education: through insuring that state funds earmarked for special education are actually spent on special education; and through eliminating wasteful spending that is not child-centered, in a way that benefits all our children.

Invisible Diversity

The publicity over vice-presidential candidate Sarah Palin's infant child with Down syndrome has spurred many news stories about families with special needs children. Over and over in

those stories, two words crop up: **diversity** and **invisibility**. As one father remarked, disability is simply another form of diversity. But as other families note, too often this type of diversity is invisible in our society, and the needs of those with disabilities remain unmet. One mother of a child with autism thinks Americans with disabilities are “our country’s most underserved, neglected and marginalized minority.”

You could say that our special needs kids represent Invisible Diversity. First, within the awareness of MCPS leadership. Too often, in speaking of the great diversity in our student population, whether it’s racial, language or cultural, MCPS officials fail to mention special needs children as part of that diversity. Particularly when talking of such measures as drop-out rates, suspension rates, or diploma achievement.

This is odd: special education students represent nearly 12% of MCPS students according to the 2007 Annual Report (though we suspect that there are more children with undiagnosed needs). That’s more than the number of students in English as a Second Language Courses; nearly as large as the sizeable Asian-American population in our county; and a sizeable voting bloc.

But even more invisible is the diversity and variety WITHIN the special needs population itself. The failure by MCPS leadership to truly see and understand that diversity, to recognize the differences between various disabilities and what that means for how children learn, is perhaps the only logical explanation for the systematic gutting of special needs programs we’ve witnessed in the last few years.

The Broad Spectrum of Special Needs

Kids with special needs reflect a wide variety of abilities and medical conditions. The special needs population ranges from the most gifted and talented (GT) of students, to the children most severely disabled physically or intellectually. There are many different conditions in between those ends of the spectrum, with different barriers to learning.

These differences call for flexibility in the types of tools, services, and programs that will help disabled children learn, provided in a fair but cost-effective way. To push all of the special needs children into a one-size fits all program of testing and inclusion-only, is to discriminate against certain members of the disability community.

Perhaps the most invisible and least understood are children with what I call brain-based disorders: neurological processing disorders like ADHD; the social and communication disorders of Asperger’s and other autism spectrum conditions; the so-called hidden disorders such as auditory or visual processing problems; or learning disorders such as dyslexia, which hampers reading ability, or dyscalculia, which affect the ability to process numbers.

Children with learning disorders can be brilliant, known as GT//LD kids, or they can have less exceptional intelligence., but their condition is life-long, and they often require intensive instruction in reading or other subjects to keep up with their peers. Many of these children benefit from small, structured classes, such as the abolished Learning Centers. In that whole debate, the needs of their particular disability remained unseen.

Losing Thomas Edisons

Here's one example of how kids with disabilities remain unseen. The reading disorder dyslexia hurts a person's ability to read and take written tests like the MSA and the HSA. Some of our most innovative citizens have had dyslexia, such as inventor Thomas Edison, or the late playwright Wendy Wasserstein. They'd have trouble graduating today.

When our Superintendent, in news interviews, objects to proposed alternative projects to the high-stakes testing now required to graduate in Maryland, calling them "dumbing down," dyslexic students are so invisible they aren't even on the radar screen.

Which is too bad. We'll miss out on a lot of Thomas Edisons if we stick to only one-size-fits-all, high-stakes exit exams that were never designed for students with disabilities, and that don't let students show what they know.

A Regressive Policy

In fact, at a time when medical science is recognizing a growing array of conditions affecting the brain and different ways of learning, when the autism population is soaring and children born very premature now survive but with significant learning problems, our school system is moving backwards: disregarding this growing population, ignoring new discoveries about differences, shoving all children into a 1-size-fits all general education classes. This hurts both general and special education students.

We're losing programs that recognized differences in abilities, such as separate LAD classes in elementary school, for students who are close to mastering the general curriculum, but who need a little extra help for reading or other problems. Or the elementary or secondary Learning Centers, for students who are often several years behind LAD students academically, and who need small, self-contained, structured classes to stay on a diploma track.

My daughter with ADHD is in the last of the Learning Center classes of secondary school. I often worry about ADHD kids born after 1995: how many of them will be sacrificed before the County recognizes the serious mistake of cutting programs that help children with this particular condition.

There are kids who will never go on to college, due to intellectual disability or by preference, but they can be functioning members of our society, holding down jobs or trades requiring a high school diploma. A diploma is not solely for the college-bound. Our MCPS leaders don't seem to realize: for many special needs children, it's high school that's the do-or-die time. Their ability to get a diploma will determine whether they work or are on public assistance – which can cost society millions of dollars over a lifetime.

In the mad rush to promote the number of Honors and AP and International Baccalaureate students, these kids of different abilities remain invisible.

Other students with special needs include those with speech and language or processing disorders, kids at risk of dropping out, even going to jail; children with emotional or behavioral disabilities; and children with mental illness, within or without an institutional setting.

And how have these most vulnerable of students been treated? At a time when more and more programs are offered in general education, consider that the current MCPS administration has

- Shut down separate elementary school LAD classes;
- Shut down secondary school Learning Centers;
- Shut down the Mark Twain school for kids with emotional or behavioral conditions;
- Shut down the Kingsley work-study program for students in trouble, at risk of dropping out;
- Shut down one of only three Gifted-Talented/Learning-Disorder programs in our school population of nearly 138,000 students;
- Cut back by nearly 20% the teaching staff at the RICA institution for children with emotional or mental health conditions; and
- Cut back the extended school year summer hours for special needs children; and may be planning to cut back elementary school Learning Centers.

At the same time, when a tsunami of autism students is expected in school populations, as many as 1 in 125 students, MCPS continues to have NO high school program for Asperger's or Autism Spectrum children. Instead, these children who need intensive structure and may easily reach sensory overload, are now paired in a few Bridge Programs with the most severely emotionally or behaviorally disturbed ED students who lost their Mark Twain program. This is not just cruel to all of the students involved. It's educational malpractice.

It's important for you to closely examine and reject false justifications for closing these programs. Such as:

The "Not Enough Demand" Excuse:

First, the so-called cost-benefit analysis, that these programs serve too few children and cannot be justified, is false. As special needs families will tell you, the familiar pattern of this administration is as follows, applying from Mark Twain to RICA to GT/LD cuts:

- 1) Don't publicize the availability of the alternative program for special needs children;
- 2) If a parent does hear of the service, make it as difficult as possible to get a placement there;
- 3) Stop making referrals of certain age children to that program, decreasing its size;
- 4) Claim that the program is underutilized, or there's "no demand"

- 5) Claim that the cost per pupil can no longer be justified.
- 6) Shut down the program.
- 7) Account for some but not all students that would have been in the now-defunct program the following year. At one time, 30 eligible students literally disappeared in the first class to lose Learning Centers; and the County has not accounted for 20 former Mark Twain students.

The County has cited two other supposed justifications for these cut-backs, but they both illustrate a stunning disregard for the diversity of special needs.

The Move toward Inclusion:

In the broad diversity within the special needs population, there are children who will benefit from an inclusion model, for a variety of reasons. Some need only minimal services or help. Others perform better in a typical-peer setting. Others are there because their parents strongly believe in inclusion and acceptance of people with disabilities. An inclusion model is an improvement for them.

But MCPS must stop discriminating against the other students whose particular disabilities make inclusion in a large, general education classroom a devastating form of isolation and a *barrier* to their learning. This is not their Least Restrictive Environment.

Some of these students will never improve or have their particular learning needs met in a general-ed classroom, no matter how many para-educators or special-ed teachers are present, or how well a class is co-taught – and we're light years away from model co-taught classes. Some kids may have, for example, sensory or social handicaps evident in Asperger's, or an extreme form of ADHD, or an anxiety disorder that makes this a tortuous placement for them.

This is not stereotyping or under-expectation of a child. This is a basic, humane and absolutely essential recognition of their different educational needs.

To disregard these children's disability is to discriminate against them, pure and simple. And that brings us to the third argument: that of disproportionality. Namely, that minorities are over-represented in some of the separate programs, as was claimed with Learning Centers, and thus the programs must be shut down entirely.

Perhaps nothing better illustrates the marginalization of people with disabilities. In what other arena would we remedy discrimination against one group by discriminating against another protected group, through the destruction of services they desperately need? The remedy to disproportionality is in fixing the **placement process**, the eligibility criteria, not in destroying programs desperately needed by children with specific types of disabilities, including minority-group children.

Today is National ADHD Awareness Day. The former Surgeon General, Dr. David Satcher, an African-American, is campaigning for greater awareness that ADHD is seriously under-diagnosed and under-treated among African-American children, with tragic educational

consequences. But all the awareness in the world won't do any good, if the programs these ADHD children need are being destroyed.

Our Recommendations for Removing Barriers to Students with Disabilities

- Stop the scorched earth policy of eradicating special education programs and promoting inclusion only, whether it fits a child's disability needs or not;
- Stop denigrating special education teachers. They are not glorified aides to general education teachers, they are not inferior to general education teachers, and their skills and knowledge should be used, not wasted.
- Preserve or return alternative cluster programs that provide an economy of scale and SAVE money, while also protecting the rights of children to attend home school programs.
- Use the state Thornton Commission funding for special education in the way it was intended – for special education. Stop using special education funds for general fund purposes, under the excuse that general funding will improve the entire system and “lift all boats.” That doesn't work when special needs children have no boats.
- Make tough cuts in programs that are not student-specific, instead of cuts in student-centered services. For example, my personal suggestions:
 - Cut the multi-million-dollar public relations budget of MCPS. In a time of need, this is an obscenity.
 - Cut one of the two MCPS cable channels. Two are unwarranted, particularly when all other government entities have only one and there's too much dead time on these channels.
- Use the savings gained for desperately needed, student-centered, special services, such as Wilson-method reading programs for kids with poor phonetic awareness; or remedial math programs for kids with a math disability.
- Refuse to tolerate the hostile, litigation-first culture of the MCPS legal department, which treats special needs families as the enemy, instead of seeking placement solutions outside the courtroom. Montgomery County represents nearly 40% of the spending on educational litigation in the entire state of Maryland. No doubt the MCPS counsel sees that as a necessary cost of doing business. But any business person will tell you: that record reflects a massive and expensive failure.
- Finally, the most radical change is actually the simplest, most cost-effective change of all: Let parents of special needs students, the ones who know their children best, who know when they are regressing in school or becoming suicidal, determine within reason whether a general education classroom or a special needs classroom is right for their

child. Period. This will save hundreds of thousands of dollars in legal costs alone, and reduce the unnecessary suffering that rigid policies impose on special needs families.

In Conclusion:

No child, whatever his or her abilities, is expendable, even in tough budget times. Stand up for the civil rights of the disabled, among the least-powerful, most vulnerable of our citizens. Remove their barriers to learning.

As one mother said in the *Los Angeles Times*, “We are a rich and wealthy country and sometimes we abandon the people who need help the most.” Don’t let this happen to special needs children in Montgomery County.

Thank you.