

MUCKRAKING THE SCHOOL DISTRICT
The Journalist's Role In Reforming Schools

MASTER'S THESIS

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Preface

I hate to dash your thesis smack into a wall, but journalists have about as much to do with reforming schools as a feather has to do with launching a rocket.

There are only three types of education reporting: telling what schools announce; telling what others are doing or complaining about regarding education; or finding out what alleges to be an education flaw.

The third category is worth one day's headline that draws some private comments and no action.

The only thing that changes anything is school's pressure--political or parental. Political only applies after enough parents yell. Does the journalist apply the pinch that makes parents yell? I doubt it. I haven't experienced it.

It wouldn't take 20 minutes to give you insight to what impact my articles make. It would take two words: Damned little.

But it makes Post headlines which, as far as the Post is concerned, is why I am on schools.

Jack Peritz
Education Editor
The New York Post

Introduction

The pen is mightier than the sword. When I first heard this expression it was one of a group of "sayings" I had to memorize in the second grade. Along with other words of wisdom, such as, "many hands make light work," it held no meaning for me and fell back into a sea of other formless thoughts until a series of events, beginning one day in 1977, brought back this silly cliché with all the force of truth.

Flash back to the day I stood in front of a group of strange students as a substitute teacher in an inner-city school at Syracuse. It was a scene straight out of Jonathan Kozol's Death at an Early Age. Each clock throughout the building told its own version of the wrong time. But this was only part of the chaos I faced.

Not even the smallest precautions to make the school a safe and sane place to learn had been made, such as hallway monitoring. Broken windows and peeling paint provided the backdrop for the students. And their behavior was suitable to their stage. One was jumping on his desk to the applause of his friends. Meanwhile, other students ran into the room, saw there was a Sub! then disappeared into the long, dark hallways.

There was not one book in the room. The teacher's drawers were filled with litter, dimming my hopes for finding lesson plans or attendance sheets. This was no place to learn; it was a place to go crazy.

After I had given up waiting for a late bell, I began to congratulate myself for bringing the students into a unit. Then one boy came into the room, visibly sweating and profusely apologizing for being late. He took his seat. As soon as things began to quiet down again, the late student yelled out, "Wait a minute, I am in the wrong class!" He bolted into the halls hearing the sweet sounds of victory as the room filled with laughter.

At the end of the day I was pleading with the principal. This was an inner-city school, but I had worked throughout the system and knew that with a caring administration, the students weren't so hard to reach; they became teachable and violent incidents dropped. In one school, for instance, seventh, eighth, and ninth grade classes were held on separate floors. This helped to diminish the apparent size of the school for the students. It also helped them feel less scared of being intimidated by age and size; there were fewer fights.

I'm sure the principal found it was as easy as switching off a light to fire me.

For most new teachers entering archaic, unresponsive, and often dangerous schools, their desire to reform dominates their desire to teach. Those who try to be heroes only burn out faster.

John Holt, in his preface to Acting Out said it right. "The best people can do, and what almost all of them do, is to fall back on strategies of personal survival, that is, to ask -- How do I keep from going nuts in this place? But a building full of people who spend most of their time trying to keep from going crazy, itself becomes crazy. The schools are caught in a vicious downward cycle. They can't be reformed from the top...And they certainly can't be reformed from the bottom." *

Next, it becomes a question of reform from the inside or reform from the outside. And parents, who make up the community, are often easily intimidated, not united, poorly informed people -- an option that bears little hope.

Rarely has the role of the journalist been studied in this context. Yet, ironically, the reporter, who often

* Betts, Roland, Acting Out (Boston, MA: Little, Brown and Co.), p.xi.

has very little to do with education and who is often more interested in banner headlines than saving young minds is a powerful third option for reform.

Newspapers can provide the missing link between the school and the community; an article that exposes a corrupt and dangerous school system hits administrators right in their metaphoric guts -- their Image. And in an integrated community this type of information provides the political fire that ignites reform.

It was by chance that I provided the proof for this theory. Years after I taught at the above mentioned school in Syracuse I found myself in the exact situation in another district, in Long Beach. Yet in the second case there was a variable: I wrote articles in the local newspaper that criticised the school system. It was quite surprising to see how just a few passages could bring an entire system to its knees.

To illustrate my point, the articles will be included in this thesis plus a description of the people and the circumstances that brought them into focus.

Target areas for reform will be limited to violence in the junior high and corruption in the special education program.

There will also be a dissection of the community to show how it can be mobilized to force political pressure and

change.

And there will finally be a look at the journalist-as-reformer, who frequently sounds as pessimistic as Jack Peritz (the education editor of The New York Post who was kind enough to challenge me in the preface) and who is sometimes called a Muckraker.

CHAPTER I

Terror Reigns: The Secret

Sometimes I'll ask parents if they have ever visited their child's school when it wasn't visiting day. Always, I'll get a response as if I had just asked them if they had taken a walk on Mars.

There seems to be an unwritten pact between parents and school administrators that during school hours their children are in the hands of godly experts and that the school building is sacred ground; it is strictly off-limits to parents.

In Parents Unite, a book that calls for more community involvement, the authors explain, "For decades, professional educators have sold parents on the hands-off theory of schooling. When questioned, the educator smiles knowingly and tells the concerned parents to relax and leave things to the pros. Whether explicit or implicit, the educator's message is: 'We're the experts; we have the Ph.D's in education; we understand the technical details; and we know what's best for your child.'" ¹

Shielded from public view, schools have become fortresses to insanity, secret containers where a few big people have complete

¹ Jones, Philip & Susan, Parents Unite (US, Wyden Books, 1976), p. 3.

power over hundreds of smaller people, and like stagnate ponds their poison grows.

One problem that has grown to monstrous size is school violence.

Most parents would be shocked if they visited their child's school unannounced. Just a walk down the hallway would convince them that administrators should not be kept on pedestals, away from criticism. These dark, unguarded hallways are where most of the crimes take place. They are like indoor city streets. Here is where the fights, stabbings, drug dealings face each unprotected child who must go from one class to another. Hopefully, the classroom is a sanctuary.

As one student remembers, "There were gangs in our school. And each one claimed a different hallway for their territory. You had to pay a toll to walk through their hall and if you refused, you got beat up." Imagine the terror of the child who runs out of money.

Terror. It can be found in most of our schools. Not all. But when parents put blind trust in their district they are playing Russian Roulette with their child's education and life.

Incidents of school violence are kept secret by administrators who fear bad publicity while parents are held at bay by intimidation. School officials have created their own monster;

they are tortured daily by a student body which has gotten out of control through their code of silence.

Many teachers are beginning to speak out, however, and the National Institute of Education collected these national figures in 1979: 5,200 junior and senior high-school teachers are physically attacked every month and 6,000 are robbed by force...about 282,000 junior and senior-high school students are assaulted and 112,000 are robbed at school every month.²

That was in 1979. Think what the statistics must be today with the annual increase in juvenile crime. A look at the following headlines collected in only one month also suggests that the above figures are conservative. They certainly don't hold the same emotional impact as the following:

Schoolyard Terror As A Pupil's Slain

A 17-year-old Brooklyn high school student was shot to death yesterday in front of scores of horrified classmates during an argument with a friend.³

45 Guards To Combat Hoods In 10 Schools

A special task force of 45 security guards is being sent into junior high schools in North Brooklyn to break a pattern of violence.⁴

²Now It's The Suburbs Where School Violence Flares," U.S. News & World Report, May 21, 1979, p.63.

³Fagen, Cynthia, "Schoolyard Terror As A Pupil's Slain," The N.Y. Post, September 25, 1980.

⁴Peritz, Jack, "45 Guards To Combat Hoods In 10 Schools" The N.Y. Post, September 25, 1989.

HS Athlete Shot In Back As The Violence Spreads

A Brooklyn student was shot in the back yesterday in the second high school shooting incident in a week.⁵

Youth Shot In Gang Clash As New Strife Rips Schools

A Chinese youth was gunned down in an after school battle with a rival Puerto Rican gang yesterday as a new wave of violence swept the city's troubled schools.⁶

So many times I've wanted to shake parents and say, "You are risking your children's lives every time you send them into that school. Don't let them get hurt. Take charge." But it is so hard to open their eyes. School principals are their heroes whose illusions they love.

When I began my series of articles on the violence in the junior high in Long Beach, I felt like I was bringing back the first stories of Nazi concentration camps. The sane middle class community just could not accept my descriptions. These things could not happen in their neighborhood school, they said. Many thought I was either crazy or seeking journalistic glory. And none of these parents would go into the school, prompted by my words, to see for themselves if I were telling the truth.

I didn't know then that I was just breaking ground and

⁵Peritz, Jack, "HS Athlete Shot In Back As The Violence Spreads," N.Y. Post, September 30, 1980, p.11.

⁶Lathem, Niles, "Youth Shot In Gang Clash As New Strife Rips Schools," N.Y. Post, October 17, 1980, p. 13.

that it would take more than one article to move the wheels of reform. At this point I was only astounded by the letters my editor received.

I have included one which shows the degree to which people can accept comfort in lies. It is followed by a rather miserable 7th grader who is trying to understand why his environment is so vicious.

Mrs. L. Gersten, from Long Beach wrote, "I was enraged to read the totally dishonest and inaccurate article that appeared in your paper about the Long Beach Jr. High School. The school you described bears no resemblance to the L.B. Jr. High.

No one having any recent association with the school could have possibly written that article. If you and the author would spend some time in the school, do a little research, speak to the current faculty, students, etc., you will find a most amazing, beautiful and unique school. You would see happy students in the halls composed of blacks, whites, orientals, Jews and Christians, poor, and middle, and wealthy classes from the West, Central, East, and Lido (areas of Long Beach) all mixed together daily in classroom situations learning to better understand and to become more tolerant of each others differences.

I urge you to attend a Jr. High School function or sporting

event and be thrilled to witness the comradery (sic) and good will, and affectionate embraces between this wonderful American mixture of people... ."

Just a few weeks before I received this letter, C. McClosky, a 7th grader in Long Beach Jr. High, wrote the following essay for my class:

Fighting In The Halls

People fight in the halls of this school for very stupid reasons. If you accidentally push a "cool" person he will start fighting you. Some very rowdy people will just come up to you and punch you in the face. They don't care if they get in trouble. Their parents don't care. Many people who fight in the halls constantly usually are picked on a lot or very rowdy. If you look funny, people will tease you. Many rowdy kids are from poor and broken homes. Their parents let them go out to all hours and don't care if they get straight F's on their report cards. Many people who fight at school a lot and smoke pot. They think they are cool and strong.

The right to personal safety and a sense of security is basic. So is the right to an education. Also, a legal pamphlet for students states, "There has also been some recognition that the right to an education means the right to a

good education -- that it means little to be able to attend a free school if you still can't read when you graduate." ⁷

Educators agree that a secure environment, where a child can feel relaxed, promotes learning. A child can not learn in fear. Before self-actualization can occur, a person must first satisfy this primary need.

Some peculiar things happen to the mind when it is under a great deal of stress, blocking conceptual thinking. John Holt discusses this point in How Children Fail where he provides a personal example. He writes that while he was playing the violin under the close scrutiny of his instructor, "Some kind of noise, other than my miserable playing, was in my ears. Suddenly I became totally noteblind. The written music before me lost all meaning. All meaning. It is hard to describe what I felt. It lasted no more than a second or two; only as long as it took me to stop playing and look away from the music. I could see the notes, but it was as if I could not see them. It is said of such moments that everything becomes a blur. This may have been true; when to go on seeing clearly becomes unbearably painful, the eyes may well refuse to focus.

⁷ Levine, Alan H. and Eve Carey, The Rights Of Students (NY, Avon Books, a division of The Hearst Corp., 1977), pl6.

There was also an impression that the notes were moving and shifting on the page. But above all else was the impression that, whatever I was seeing, it was as if I had never seen such things before, never heard them, never imagined them." ⁸

School violence is increasing. So is the illiteracy rate among graduating students. Instead of admitting that they have a problem which has gotten out of control, school officials are guilty of a cover-up that surpasses the Watergate Crisis only because it has been allowed to go on for so long. And only too rarely are investigative reporters willing to give a faceless school system the same attention that they would a Nixon. If only more would realize the feeling of triumph when bringing a corrupt school district into public view, and hear school principals choke on their lies the schools would become safer.

⁸Holt, John, How Children Fail, (NY, Pitman Publishing Co., 1974) p 66.

CHAPTER II

An Alternative To "The Animal House"

In Acting Out, Roland Betts describes a scene where students surround a teacher and chant, "You're all animals." The students knew that they were verbalizing what the teacher was thinking. They were sick of being considered animals by teachers who had written them off as hopeless. Putting students far away, on another plane, is much easier than becoming emotionally involved with them -- until they strike back. It also lets them off the responsibility hook, temporarily.

The gap between students and school officials is most obvious when the problem of school violence is approached; in 1977, a conference was held by the Community Relations Services, U.S. Dept. of Justice and the National Institute of Education, Health, Education and Welfare to outline methods for preventing outbreaks of violence and to make suggestions on how to handle emergencies if these preventative measures fail. The outcome of the conference is a booklet that reads like a military manual.⁹ While reading through it, it is hard to keep in mind that the content deals with youngsters of our own species. Here is a sample:

⁹ School Disruptions: "Tips For Educators & Police" Findings of a Conference Sponsored by Community Relations Services, U.S. Dept. of Justice and the Law Enforcement, 1977.

What Police Should Do (to prevent violence)

Analyze school-related crime information.

Review police, school incident reports.

Analyze school/community problems and incidents which spark disruptions.

Make appropriate care and intelligence information available to school authorities.

What Schools Should Do (if the above fail)

Have an emergency list of telephone numbers available.

Establish a central command post.

Develop a method of isolating and removing disruptive students from school premises.

Develop ways of communicating quickly with parents and community groups.

Establish a written reporting process to be used in disruptive situations.

Develop a coordinated press relations policy in cooperation with police.

While remaining at a psychological distance from their students, few teachers and administrators realize the complicated and subtle roots of juvenile violence. This understanding is vital before the problem can be solved more reasonably than above.

For example, researchers are finding that in schools

where tracking systems are particularly rigid and separation between the teachers is nearly complete students frequently become polarized along racial and class lines. The result is tension and hostility.¹⁰

In a more detailed study, a relationship between the inhibition of movement and anger is found. Richard Restak, in his "Origins of Violence" claims, "infants and children immobilized in bed for the treatment of fractures often develop emotional outbursts of rage and violence. Since only movement and not sight or hearing is limited, a relationship is suggested between early diminished movement and later, abnormal, almost violent behavior."¹¹

Herbert Kohl pointed to the sociological roots of violence in 36 Children where one of his students, in describing his neighborhood, wrote, "I live on 117 street, between Madison and 5th Ave. All the bums live around here. But the truth is they don't live here they just hang around the street. All the kids call it 'Junky's Paradise ' because there is no cops to stop them."¹²

¹⁰ Levine, p. 93.

¹¹ Restak, Richard, "Origins of Violence," The Saturday Review, May 12, 1979, p. 18.

¹² Kohl, Herbert, 36 Children, (New York: The New American Library, Inc. 1964) p. 38.

But the causes of violence are as varied as the students, and researchers can only give us a sampling. That is why a caring adult who can temper understanding with intuition is the ideal solution. In my years as a substitute teacher I've been in contact with over 20 different school systems and came across such a person only once. Mr. Brad Scott from West Side Junior High in Syracuse stands in front of his school every morning to greet his students by name as they enter the building. He told me that this puts him in immediate contact with his student body; he is showing them that he knows each of them personally and that he cares for them. He also said that, at this time, he is listening for any harsh words which may tip him off to any bad feelings which may be brewing so he can head off serious fights.

Most of the violence occurs at the junior-high levels, authorities report.¹³ This is not hard to understand, for any sensitive person who can place himself back in time and remember how it felt to be thirteen. All of us struggled out of a child's perception of the world to become an adult, social, being at this age. It is a painful, critical time, and sometimes schools and parents push a little too hard. They give new rules and take away the old familiar security.

¹³U.S. News & World Report p.63.

A junior high school building can become a giant torture chamber for someone at this age; it is too big; is painfully missing that one, protective teacher who knew how to stick with a kid all day; and is filled with other children who are stronger beyond their years and want to prove this by using people like punching bags.

Mr. Scott was aware of this and acted upon this concept. He structured the school to give his students a school that was as safe, secure, and sane as possible.

Each grade was located on a different floor along with its own principal who played the strong, father image. This division helped to diminish the size of the school. For instance, the 7th graders were located on the top, third, floor. It was called the 7th grade "home." That was the 7th graders' territory and since it was limited in size it could become a familiar, homey place fairly easily. There were also fewer students to contend with and strange faces were seen only rarely. Also, cases where bigger, older kids beat up vulnerable, little kids were greatly reduced.

The school was kept clean and pleasantly decorated. This gave the students a sense of pride and they became very protective of "their" school. This is a simple way of reducing cases of vandalism. ¹⁴

¹⁴ For one of the best studies of the correlation between aggression and the struggle for territory, see Konrad Lorenz's On Aggression (Harcourt, Brace, Jovanovich, Inc., 1963).

While classes were in session, there was absolutely no student wandering around in the hallways without authorization. There were hallway monitors guarding the halls at all times, and if they found a stray student, it meant being promptly sent to the floor principal for swift punishment.

This was easily my favorite school. It was located in the heart of the city of Syracuse, and the students were more fun to work with than those in the suburban schools. They seemed to have more energy, more life, that was directed into constructive channels. My presence was welcomed and the experience was pleasant.

The classes were microcosms of the school as a whole. Here I felt the same caring and concern as I did throughout the system. Each time I came here to teach, the floor principal introduced me to the class with a stern warning that there would be no mercy for anyone who took advantage of me. But that seemed unnecessary as the day wore on because if anyone got out of line, they were quickly reminded that they were headed for trouble by their peers. It was easy to see that they all respected authority. And at this age they welcomed it because it gave them a sense of security.

As a substitute teacher, my job was easy. There were attendance sheets and seating charts which gave me a sense that

I was in control of the class even though I was a stranger. Only one who has been a substitute teacher can appreciate this fact. Also, the lesson plans were clearly written. Instruction was continuous and individualized so that each student knew exactly what was expected.

When you come down to it, all of these measures were based on common sense. (Remember and contrast them with the suggestions in the "Tips for Educators and Police.") It created a school that promoted learning because it was a secure and happy place that was full of energy. The students needed guidance and strong adult figures were provided to help keep them in line. And as a result, they took pride in their school and themselves. It was all very simple and sane. I wish I could explain why all schools aren't like this. But, the most important lesson that it taught me was that school violence can be controlled; it just can't be excused as a necessary evil of youth that must be tolerated.

This is my answer to a parent who wrote my editor, in response to my article describing an insane school, "I dare you to show me any public school in all this country that is completely free of all problems ... if any of the items you described really happened, they were only isolated cases and not an everyday occurrence."

CHAPTER III

Terror Reigns: The Exposé

By working at various schools in Syracuse as a substitute teacher I began to realize that there was a correlation between the degree of emotional involvement of the administrators with students and incidents of school violence. Neighboring schools with completely different learning atmospheres also revealed that social and economic setting did little in creating an emotionally secure environment.

By the time I taught at Long Beach Junior High I could no longer accept the excuse that student violence was a problem that could not be controlled. Whenever I heard its teachers say how "the kids are all animals," I flinched. I knew there were alternatives.

Long Beach Junior High was filled with screaming youngsters trapped in a nightmare of chaos. I soon learned that I was not even expected to try to keep order in the classrooms. I saw plenty of fights and most of them were too dangerous to break up. My job there was to keep classes from being cancelled and to take my punches in silence -- a masochist's dream.

At this time I was writing articles for a local weekly newspaper, and I thought that an inside view of the junior high might make interesting reading. I knew, intuitively, that very few parents had ventured into the building to see for themselves what their children had to face every day.

The days when I had a passion for reform were behind me. Once before I had worked in a junior high similar to the one in Long Beach when I was living in Syracuse. At the end of the day I was infuriated with the system and made a desperate attempt at reform. I met with the principal and told him exactly what was wrong with his school. My great "heroic" deed was snuffed out as quietly as blowing out a candle; I was fired.

I felt there was little hope for reforming the Long Beach School District. It created kids in pain, which always makes a good story. My approach may better be explained by Katharine Graham, publisher of The Washington Post during the Watergate crisis, as she defines the role of the journalist. "...it's not the business of the press to uphold institutions, to reform them, or to make policy. Our job is to relate what's happening, as fairly and completely as we can -- whether or not that is what people want to hear and what officials want the people to hear," she said.

15 Chalmers, M. Robert, The Washington Post: The First 100 Years (Boston: Houghton Mifflin Co., 1977) p. 443.

My publisher agreed that I had a good idea for an article, and on May 18, 1978, "Reign of Terror At LB Jr. High" was printed in the Long Island Journal. It was based on my teaching experiences in the school along with interviews I had with teachers and students. All the names were changed to protect the identity of my sources. The article follows:

Long Beach -- At the end of a class at Long Beach Junior High, it is not unusual to see a student check the halls for safety before leaving the room.

Kids don't walk down the halls; they run, banging into each other. Terri gave her impressions of what it's like to be a student at the Jr. High. "There are certain halls my friends tell me to avoid, especially if you are carrying money. Gangs hold these areas as their territory. Many of my friends are really scared of being harrassed. If someone asks for money, I just hand it over to them because there are stories that some of the kids are carrying knives."

Stacy remembered walking down the halls, getting stuck with pins. "My body was sore by the end of the day. I had to constantly look around when I walked down the halls. The classes aren't too safe either. A friend of mine was picked up and thrown out a window.

The window was closed."

This week a student was pushed from the bleachers. He landed on his back. The teacher was afraid to touch him. He was taken away by ambulance.

Terri said, "It's not safe for the girls. The boys at this age are crazy." This week a cigarette lighter was grabbed from Rick just before its high flame reached Cindy's body.

Flo is a tall girl who is known to boss the smaller students. Teachers spoke with awe of how Mike, half her size, picked her up and flung her to the ground stating "That's how you treat a bitch." One teacher stated that he'd like to shake Mike's hand.

Steven added, "The teachers and administrators don't control the kids. Nobody walking around the halls between classes carries a pass. There is a law that says that students from the Senior High are not allowed in this building, yet my friend comes to the school whenever he wants. Anyone can walk in. But they do have a law that says any kid who gets caught fighting gets suspended and a lot of my friends have gotten kicked out."

Tim Johnson's small frame made him the butt of student aggression. He'd walk to each class, avoiding certain

halls. However, the fight was unavoidable when a student who promised to tear him apart before the day was over showed up in class. Tim knew that the next time he was caught fighting he would be suspended. As the larger student punched him in the face, he stood with his arms frozen at his sides.

"I think the teachers are afraid of the kids," Terri said. "A friend of mine was walking down the halls. A gang of students surrounded her, clapping their hands, chanting. She was terrified. She saw a teacher look at the group and then walk away."

"I don't blame them for being scared," Steve said. "I had one teacher who punished a kid. In the middle of one of my classes, this kid went right up to the teacher and sprayed him in the face with an aerosol can. After the kid ran out the room, my teacher put his hand on the doorway when he looked down the hall to find him. The kid was hiding behind the door and slammed it on the teacher's hand."

One teacher has suffered from broken ribs, inflicted by the class. Another was harassed by his class to the point of having a heart attack in class.

Why are the kids so mean to the teachers? Steve answered with strong conviction, "Because they don't care."

Mrs. Jones sat back in the overstuffed chair in the faculty room and sized her situation. "I've taught for 20

years and I think it's time I had a change, don't you? But what can I do? I only know how to teach and I don't want to sit around the house all day." Half of the conversation in the room centered on how the kids were getting even wilder with the spring in the air and the other revolved around the proposed budget cut.

Mr. Crane was asked to shed some light on the cause of student violence. He stated that the students are not getting the special attention they need in overcrowded classes. Many students have learning disabilities which are ignored. Reading and math clinics are inadequate. He said that poorly-equipped students are given grades to barely pass them to the next grade and get them out of the way. The student is made to feel like a failure, and he added that they know they are getting a raw deal. This leads to destructive feelings which are directed at the school or internalized to form emotional problems.

Karen is a student at Nassau Community College. Looking back, she said, "I used to get into a lot of fights when I was in the Junior High. I felt very disoriented and depressed and I had to go for therapy. My teachers never corrected my grammar; my papers always passed. Now my teachers show me I have bad punctuation. I'm shocked to see that they are right and I don't know what to do about it. I guess I was shortchanged."

CHAPTER IV

Shock Waves Reach Long Beach

Only a community like Long Beach would have reacted to the article, "Reign of Terror" with such power and vehemence. This "Peyton Place" is the perfect sounding board for a journalist where information is quickly received and transmitted. I am convinced that my articles would not have been the cause for so much change if they had been received by a different type of neighborhood; elsewhere I would have been shouting into the wind.

Long Beach is a narrow strip of land south of Long Island. It is connected to the mainland only at three points. This geographic separation gives the 30,000 residents a very strong sense of identity since its borders are clearly defined.

To complete this sense of self-containment, Long Beach has its own city government. The first Tuesday night of every month is a big event, here because that is when the city council holds its meetings. And the residents turn out in scores to fight, pro or con, for any new legislation.

The people know each other. Its leaders grew up here so they have to remain in close touch with the residents where

they have little opportunity to act against their consciences.

Community reformers realize that there are different kinds of neighborhoods. The authors of The Neighborhood Organizer's Handbook developed the following classifications with relation to the flow of news.¹⁶

"The transitory neighborhood has little sense of identity. It is a place where its residents are just passing through and have little time to get to know one another. The absence of the "grape vine" is based on the fact that people see little in common with their neighbors. Information, whether it originates within the neighborhood or is packaged in a newspaper article, simply will not make the rounds in this kind of neighborhood.

"The parochial neighborhood is set up with one major function for its information system: to keep ideas and values out that go against the norms of the neighborhood. The job of the local opinion leader is to keep in touch but then to translate rather than simply transmit the information. The secure boundary to unwanted intrusion by the mass media is maintained by low individual listening and viewing compared to other neighborhoods and by the vigilance of neighbors who serve as counterpropaganda agents. Information filtering is the

¹⁶ Warren, Rachelle and Donald, The Neighborhood Organizer's Handbook (Indiana: University of Notre Dame Press, p.126-127.

label for this pattern.

"The integral neighborhood allows a complex flow of information into and out of the setting. People do listen to the media but do not rely on its direct-information input. A great deal of **comparative** shopping goes on in this neighborhood where the message is checked against other reliable sources such as key influentials in the outer community or opinion leaders within the neighborhood itself. In addition, the integral neighborhood 'talks back' to the outside world -- it doesn't simply absorb ideas, it generates them. This is an information-exchange pattern.

Long Beach is a classic integral neighborhood. Its people handle news with a great deal of concern. And since it is so tightly knit any shocking news will cause an explosion...

On the day that "Reign of Terror" appeared in the Long Island Journal the weekly newspaper sold out in the stands. Then the phones began ringing in the office until the entire staff became involved in handling the calls.

Parents, students and teachers were jumping to the defense of their school with animal-like ferocity. The president of the P.T.A. phoned and insisted that I attend their next meeting, obviously to be fried.

Jon Gold, my publisher, seemed to be the only one who

expected the onslaught. He had insisted that I use a pen name, Louise Olivares, for protection when I wrote the article. Yet, on the evening after it appeared an anonymous caller reached me at my home to threaten my life. I had broken the code of silence, fundamental to every corrupt system, and this was the backlash.

By the second day, the anger toned down a bit and the Journal was attacked in a more orderly fashion. The letters began to arrive and I was called every printable evil name including a spy.

The majority of the letters came from the administrators. We heard from the principal of the junior high, the president of the Long Beach Board of Education, members and office-holders of the P.T.A., and the president of the senior class.

The longest and sternest letter came from the principal who claimed, "On Thursday, May 18, 1978, the Journal printed a libelous, distorted attack upon the students and staff of the Long Beach Junior High School...I have been led to believe that a Journal spy was placed in the Junior High School in the person of a substitute English teacher. If I am correct, an inept, incompetent, thoroughly reprehensible individual who eavesdrops on faculty conversations and distorts them for her own nefarious purposes is employed by the Journal."

The reaction to my article kept bordering on the violent. I even heard through my sources that many students would like to see me "get hurt" -- I had wounded their school pride.

Obviously, I never could have spoken out so clearly if I were an integral part of the school system. In the office of the Journal I received constant emotional support while the heat was on. Many times I felt like it was my tiny island in an unfriendly sea.

Also, there were the times when the anger I had inspired made me doubt my own perceptions. There was no Watergate Crisis at stake, yet Katharine Graham's words echo my feelings during this time as she said, "Being so far out in front on the story meant that for months The Post's position was very lonely and exposed. No matter how careful we were, there was also the nagging possibility that we were wrong. Yet one of the indications that we were really onto something was the intensity of the pressure on us to cease and desist....it was painfully obvious that they were out to destroy us." ¹⁷

On the following week, we printed the letters which addressed "Reign of Terror" as did two other local papers which compete with the Journal. All three newspapers also included editorials plus follow-up articles. As a result, those who wanted to destroy the credibility of the article saw their plan backfire; they only doubled the effectiveness of its message by giving it additional publicity.

¹⁷Roberts, p. 435.

The community began to buzz. People were reading the articles and discussing them in local coffee shops and other meeting places. Away from the phones and the mail at the office I could see that there were also some serious discussions going on concerning the content of the story and the possibility that the school really wasn't being run properly.

Real estate agents began to complain that the bad publicity aimed at the school district would bring down the value of local property. This is a very important reaction because it begins to put pressure on the political leaders since the problem in the school becomes an issue of business.

It was like a great block of ice was breaking up and the ideas and deep private suspicions were being released. And the Journal began to receive letters that confirmed the article including the following:

Dear Editor:

I am a student of Long Beach High School and I attended the Jr. High School. I read "Reign of Terror" and I have a few incidents of my own to tell you.

When I was in the 7th grade I was nearly sexually assaulted on the playground by three unknown students on the Jr. High playground.

When I was in 8th grade I was assaulted on the bus and sent to the hospital with an ocular contusion and a possible

concussion. When my parents called the school to talk to the principal about the incident the principal told us to talk to the bus company. Passing the problem back and forth is a common ploy used by the schools to discourage parents from reporting assaults that take place on the bus.

This situation does not end in the Jr. High. I was assaulted in the high school in 1975 by a student I did not know. The student, a boy, who assaulted me said, "Two years ago I would have thrown her down the stairs." Dr. Gordon, who was the H.S. principal used a common tactic. He threatened to suspend both of us. It is also a common practice to enter this on our college transcript.

Another common practice is to send students to the school shrink when they are assaulted. This to explain, for the record, why these students are fighting. This clears the school of wrongdoing. Such a thing happened to me when I was in central school. The result of a forced psychiatric exam by two N.Y. state specialists was that I was more than just averagely adjusted. The two school shrinks said I was maladjusted.

As I see it, the parents are afraid of the principal and his power but if they only realize that it is

the parent's duty to be actively involved they can prevent the above mental and physical assaults."

As the tales of horror began to surface it was difficult to decide which story was the best choice for a follow up. This opening up by people who were afraid to speak out or who felt no one cared enough to listen was the main achievement of the article. This new flow of information finally led me to an area where I got more tangible results -- the educational abuse of handicapped children by the school district.

CHAPTER V

Parents Become Responsible

On Dec. 17, 1976, a rather bizarre case was brought before the New York Court of Appeals. A mentally retarded student had been raped by her bus driver. The 16-year-old girl's testimony was barely clear enough to make a conviction.

On the stand, she said that "the defendant had intercourse with her twice, but later she said she did not know what intercourse meant. During the trial, it was brought out that her assailant got to know the young girl because he was the driver of the bus which took her and other mentally retarded youngsters to special Nassau County classes." ¹⁸

Although this seems to be an extreme case, abuse of this kind is much too common. Mentally retarded children are perfect targets. They cannot defend themselves during or after the crime. Rarely do they go near a judge and jury because self expression is impossible -- they can not point the finger. This may help to explain why the above is the only case of its kind mentioned in seven years of news clips.

¹⁸The New York Post, Dec. 17, 1976.

It has been stated throughout this thesis that parents, or the community, must safe-guard children from the insanities which occur in an insulated educational system. Parents who take it for granted that their special child is getting heart-felt attention, automatically, from administrators and teachers are unforgiveably naive.

The incident where half-starved and battered retarded children were found by reporters behind the iron gates at the Willowbrook school in 1971 should be a permanent lesson of parental responsibility: these kids can no longer be DUMPED by guilt-ridden parents who just want to forget their "mistakes."

Instead, the prime task is to learn the special laws which apply to handicapped children enrolled in the public school system. Next, parents must make sure that their district is abiding by these regulations. The second part is the most difficult and crucial. A parent who has a child with limited self-expression must learn to be alert to possible violations. They also must learn to put their guilt feelings aside, from having created an "imperfect child," and demand only the best. At the end of a handbook on special education, it clearly states, "You are your child's primary advocate." ¹⁹

¹⁹ Your Child's Right To An Education (The University of N.Y.; State Education Department, Office For Education of Children With Handicapping Conditions, July, 1978), p 27.

A well-educated and involved parent, however, may still need help from a journalist to protect their child.

The first series of articles, describing student violence, served to inform parents of learning conditions. They broke the code of silence. After the initial shock on the community wore off, the "infallible" school administrators were examined for the first time to see if they were running the schools properly.

The second series of articles, on the abuse of special education students, served a different purpose.

When Barbara Carlough, parent of a neurologically impaired child, invited me to publicize the violations being committed by the Long Beach School District, she had already notified the New York State Board of Education.

Her reason for involving a reporter was to put political pressure on the school and, as she put it, "to make the parents in this school district get off their asses." I also suspect that it was to help break down the feeling of being alone in battle.

At our first meeting, I got a crash course in the basic legislation governing the special education program. At a time that was super-charged with emotion, this lesson was overwhelming. Yet, the rules are relatively simple. They focus on Public Law 94-142 which states that no child may be denied a tax

supported education: "states receiving federal support to educate the handicapped must provide all these children with an education at no cost to their parents, within the public school system whenever possible, and that is appropriate for each child's educational needs." 20

The goal of the special education program is to have every child enrolled in a program that is as normal as possible (a least restrictive environment) while still meeting the educational needs. To reach this goal, a step-by-step procedure is mapped out in the code as follows: 1) identification; 2) parent consent; 3) assessment; 4) team conference; 5) individualized education program; 6) parent consent; 7) application of the appropriately designed program. 21

The legal snag for Carlough's child occurred during the planning process at the third step, the point where the team conference is held to discuss the appropriate program. It demands special attention.

The agency that holds the team conference is called the Committee on The Handicapped (C.O.H.)

The Amendment To The Regulations of The Commissioner of Education Law goes into great detail to describe the composition

A Parent's Guide to Public Education For The Handicapped;
(National School Public Relations Association, 1978) p. 2.

Ibid, p. 9.

of the C.O.H. and its functions. This group of people is responsible for custom-designing each special education program. They hold the key to the education of each handicapped child, a power which is sometimes abused.

Chapter 853-4402, b (1) states: "The board of education or trustees of each school district shall establish a committee on the handicapped, composed of at least a school psychologist, a teacher or administrator of special education, a school physician, a parent of a handicapped child residing in the school district and such other persons as the board of education or the board of trustees shall designate...."

The written notice to the parent by the Committee on the Handicapped regarding its recommendation has to meet legal specifications. Regulations of the Commissioner, Part 200.5 b (2) states, "Such notice shall:

- (i) Describe in detail the recommendation to the board of education or trustees.
- (ii) Specify the test or reports upon which the recommendation is based.
- (iii) State that the school files, records and reports pertaining to the child will be available for inspection and interpretation. Such records shall be available for duplication at reasonable cost.
- (iv) Describe in detail the right to obtain a hearing in accordance with the provisions of subdivision (d) of this section if there are objections to the recommendation.

- (v) Include a statement of procedures for appealing the decision resulting from the formal hearing.
- (vi) Indicate that the parent or legal guardian shall be afforded an opportunity to obtain an independent educational evaluation of the child and which shall include names, addresses, telephone numbers of appropriate public and private agencies and other professional resources where such services may be obtained by the school district. However, the school district may initiate a hearing to show that its evaluation is appropriate. The parent has a right to such independent evaluation at public expense if the parent disagrees with the evaluation obtained by the school district.

Sections (vii) and 4. are very important in Carlough's case because they make provisions so that the child's education is not interrupted during evaluation and before placement.

They state:

- (vii) Indicate that the pendency of any proceedings conducted pursuant to this section, unless the commissioner or local board of education and the parents or legal guardian otherwise agree, the child shall remain in the then current educational placement of such child, or, if applying for initial admission to a public school, shall be placed in the public school program until all such proceedings have been completed.
4. The recommendation from the Committee on the Handicapped within thirty days from the date of referral, Regulations of the Commissioner, Part 200, Section 200.5 (2) (c) "... in the event that the committee on the handicapped fails to make a recommendation within thirty days from the date that a child has been referred to such committee for evaluation and recommendation, a parent or legal guardian may request, in writing, an impartial formal hearing..."

Carlough's child was not the first to be educationally abused by the school district. But this woman was different from the rest. She knew all the laws regarding her daughter and was ready to use them as weapons. She was not well educated and it was obviously difficult for her to describe, in

written form, the violations she saw when contacting the State Board of Education.

The words of Brian Payton, past president of the Long Beach Special Education Parents Teachers Association, when addressing a conference, apply here:

"The attitude a parent takes towards the school district is very important. Don't go into a conference awed by the administration's credentials. Think of the school district as a business enterprise. You are paying for a product -- education -- through your taxes and you have the right to demand quality." 22

22 Olivares, Louise, "Parents' Rights Discussed," The L.I. Journal, August 17, 1978, p.8.

CHAPTER VI

School's Corruption Halted

The first time any one asked me to show my press pass was when I walked into Barbara Carlough's home. I went there in reply to a cryptic letter sent to my editor saying, "If you want to see how the school district is abusing our handicapped children, have Louise Olivares call me."

My article, "Reign of Terror" had caused many parents and teachers to contact me and describe additional incidents of violence at the school, but Carlough stood apart from the rest. She was the mother of a neurologically impaired 9-year-old girl and president of Voice of the Handicapped. At the outset of our first meeting she was very tense and, after I showed her my identification, she apologized, saying, "I've been through so much with the school lately that I'm beginning to feel paranoid."

At this time, she had already contacted the State Education Department which, on July 9, 1978, made a preliminary investigative report. The school district had been found to be out of compliance with Regulations of the Commissioner,

regarding the composition and activities of the Committee on the Handicapped (See Chapter V, pp33-35 and Appendix B)

Slowly, painfully, Barbara Carlough told the human side of this story.

Earlier that year, the C.O.H. had a meeting to discuss Carlough's case.

Barbara described the C.O.H. as seven to eight people sitting in judgement. "They tell the parent where the child will be placed. They prefer a parent who comes in hat-in-hand with no knowledge of their rights. They do not inform parents of their options or the programs available at no extra cost," said Carlough.

"Some of the schools for handicapped children are hell holes and some of them are nice," she added.

Carlough's child had been sent to one of the "hell holes." When she discovered that her daughter was being physically and mentally abused she withdrew her from Woodward Mental Health Center demanding that the school be investigated by the State Education Department. . It was found to be staffed by teachers who were not properly certified, among other violations (See Appendix A).

At the second C.O.H. hearing for a second placement the topic of discussion was the way Carlough had meddled in the school's affairs. The board made it clear they were angry that she had one of their schools for handicapped children investigated. They refused to place her child in a special education program, a clear violation of Public Law 94-142. (See Chapter V, pages 32-33).

A handicapped child's education was thereby held hostage. Carlough's daughter was limited to home-bound tutoring for six months, against the law, in order that her parents be taught a lesson. I had heard parents say that they were afraid of speaking out against the school district because their child would be made an instrument of retribution. This case proves them right. A parent can not act alone when their child is in the power of "the enemy."

Carlough kept asking for an impartial hearing but was turned down constantly. Again she had to appeal to the State Education Department, which made its preliminary report showing that the district was out of compliance. At this point we had our first interview.

Here were two articles. One to describe the preliminary investigation and a second to show, in human terms, just what "out of compliance" meant. It started,

"My child," said Carlough, "has literally disappeared. My child who was once loveable and bubbly is now very fearful of schools and teachers. My child has now regressed to the way she was at three years of age and I think that is the biggest crime... ." ²³

²³ Olivares, Louise, "The Parents Are Unhappy," The L.I. Journal, July 13, 1978, P.1.

By contrast, the first article, "State Raps LB Program" sounded dry next to the above story. .It did, however, serve to lay out the violations in a clear manner. And many people, who had never even heard of a Committee on the Handicapped got an inside view of its workings.

The day after the two articles appeared I expected the same reaction from the community of Long Beach as I got when "Reign of Terror" first appeared. However, very few related calls came into the office and they were low-keyed. The only similarity in reaction came from an anonymous phone call that reached me at my home. "You're going to die, Louise, if you keep writing about the school," said the female voice before hanging up. I never could get used to having my life threatened though I knew by now it carried no weight.

No. The parents weren't calling the newspaper's office. This time, the calls were directed straight to Dr. Jerome Oberman's office, superintendant of schools. Apparently, the pressure became very intense because he called Carlough, blaming her for opening the battle. Oberman later admitted to me that he was even contacted by the Department of Health, Education and Welfare. Their visit was short, however, because the State Education Department was already handling the matter.

The most important response came from Long Beach's two

political biggies, Hannah Komanoff, of the Nassau County Board of Supervisors and Jerry Kremmer, Chairman of the Ways and Means Committee. Together they wielded the greatest amount of political power in the city. With their combined clout, they could have the school go on an austerity budget. Both were highly respected and very popular among all the most prominent residents in this tight, "integrated," community.

First, Komanoff contacted Carlough and asked her to tell all about the way the special education department was being mismanaged. Carlough happily complied.

Next, I received a call from Kremmer's assistant. He informed me that Kremmer was particularly perturbed after reading the article because he had a handicapped child. I hadn't realized that I could find such a strong ally in Kremmer. Through this conversation I also found out that Carol Weis, who was handling the investigation, was given the word from Kremmer's office to give the district a "thorough" checking over.

A week after the article appeared, Carlough's daughter's case was brought before the Committee on the Handicapped and she was placed in the desired school.

Five months later, on December, 1978, an 11-page report citing the violations of the special education department of the Long Beach school district was submitted by the State Education Department. (See Appendix C).

Along with this report, the school district was threatened with the loss of state funding if it did not comply with the regulations of the Commissioner by January 15.

On December 21, 1978, the superintendent of schools, Jerome Oberman, wrote to the Regional Office of the State Education Department, division of supervision, education of handicapped children, that "the following actions are being taken in response to your memorandum...." The nine items cited in the letter are listed below. Oberman's closing statement in the **correspondence** was, "I hope the actions already started and those contemplated in the very near future, demonstrate our intent to comply fully with the Commissioner's regulations."

1. We have discontinued the practice of prescreening students at the building level and making decisions by the school psychologist as to whether the student should be referred to the C.O.H. We will follow section 200.5 (b) (1), and have the C.O.H. make the decision as to the student's condition.
2. All building level principals have been notified that they may not refer **nor** place students into resource rooms nor into Special Education classes. This is a function of the C.O.H.
3. All concerned personnel have been notified that no referrals to the C.O.H. may be made without prior parental release.
4. Health records are in the process of being updated and physical examinations are being scheduled, where necessary.
5. A list of those students requiring reevaluation on a triennial basis has been completed and the reevaluations are presently being done.

6. Classroom instruction time has been adjusted to reflect the State mandated requirement at the elementary and secondary school levels. This new time schedule will go into effect January 2, 1979.

7. Social histories, wherever necessary, are being provided on a crash program basis so that they will be complete in the very near future.

8. A program of closer supervision by the building principal as well as the Director of Special Education is being developed to improve classroom management procedures, lesson plan preparation and utilization, and improvement in teacher-student relationships.

9. Mr. George Barrett, Director of Special Education, is compiling his records and transcript for evaluation with regard to a certification in Administration and Supervision. After this evaluation is completed, Mr. Barrett will take whatever steps are necessary to remediate any deficiencies. (The letter appears in its complete form in Appendix D)

While reading the complete list of violations, neither Carlough nor I expected to find that the program was being run so carelessly. **Handicapped** children were tossed into whatever program had an empty seat. In one case, for example, it was found that a Spanish-speaking student was given no formal tests because of his Spanish language background and was placed in a class for the brain-injured following only informal evaluative procedures. And, although Carlough and I had been criticizing the director of Special Education, neither of us had guessed that he didn't even have the proper credentials (item 9, above) for the job!

My greatest feeling of triumph came from writing the last article in this series. It broke the news that the school district

might lose its state funding if it continued to abuse handicapped children's right to an education.

The lead was:

"Threatened with the loss of state and federal funding for its special education program, the city school district is being forced to make sweeping changes in that program.

A recent 11-page report by the State Education Department cited numerous violations within the district's special ed program, and recommended numerous improvements to be met by the end of this month in order to continue eligibility for state and federal funding." 24

By this time I had convinced my editor that it was safe for me to use my proper name in my by-line. When the above article appeared not one complaint reached the office. I didn't even get an anonymous phone call at my home.

24 Arcamone, Amelia, "State Raps LB Special Ed Program," The L.I. Journal, Dec. 22, 1978, p. 1.

CHAPTER VII

The Muckrakers: A Conclusion

A year and a half after I was fired by a principal because he didn't appreciate my criticism of his school, I had stumbled on a sure-fire method of reform -- journalism. With just a few articles read by a community that was special because it was integrated, corruption in the city school district of Long Beach was forced to a halt. This incident strongly suggests that the journalist can provide the missing link between the school and community, thereby lighting reform.

"Links" between large organizations and the community have long been regarded by reformers as necessary components for change. "The basic problem of our urban community is the melting of those necessarily large organizations and the neighborhood structure. Links must be provided." ²⁵

While most have been seeing the problem of reforming the schools as a choice between change from within or outside of the system, these necessary "links" or bridges of communication have been overlooked. The following quote from 36 Children shows just

²⁵ Warren, Rachelle and Donald, p. 36.

how limiting this sort of thinking can be.

"The children in my class asked me to do something about the problem, to change things, speak to the principal. I could only laugh sadly and confess my impotence. The system, I had to tell them, it was the system of which I was an insignificant and powerless part that had to be changed. My choice was to remain within the system and work with the children or leave and try to change it from without." ²⁶

The link is the muckraker, the journalist who makes corruption public.

The term, muckraking, was first coined by Teddy Roosevelt in 1906 to downgrade journalists who were investigating his senate. This "rich man's club" as it was commonly called was selling out to big business and blocking new legislation on reform of railroads, tariffs, and food protection codes.

Roosevelt was desperate for a defense when he called the investigative reporters muckrakers, "the man who could look no way but downward with the muckrake in his hands, who was offered a celestial crown for his muckraking but who would not look up nor regard the crown he was offered but continue to rake the filth

²⁶ Kohl, Herbert, p. 143.

of his floor." 27

Inadvertently, Roosevelt provided a banner for the reforming journalists and their force was united; their special type of reporting had a name!

The muckrakers were writing during the progressive movement, when there was a popular rush for reform. And their articles had so much power because the public was in a receptive mood.

Just as it was important that my articles on the Long Beach city school district were received by an integrated community, ready to assimilate and act upon the information, so it was that the first muckrakers were received by people primed by the Progressive Movement. The journalist's words are just like seeds that are lifeless without fertile ground.

"Muckraking is important. But it can never be over-emphasized that muckraking cannot function satisfactorily by itself. It needs to implement and be implemented by a strong Progressive Movement, one representative of the broad sections of the population and with leaders who express their best ideals in practical form. Muckrakers and leaders have a common necessity to appeal to the best in people and so to push their social criticism more vigorously than human nature can bear over a long stretch of time."28

27 Filler, Louis, The Muckrakers (Pennsylvania: The Pennsylvania State University Press, 1976), p. 89.

28 Filler, p. xiii.

There is a reporter who sits in the far corner of the news room of The New York Post. He works from midnight to 7:00AM, the lobster shift, when few news stories come in. At 55 he has been turned out to the reporter's pasture.

In his prime, he was the Post's education editor. He was in charge of covering school articles in New York city. This has to be the antithesis of an integrated community.

When I found out who he was, I asked him his opinion about the role of the journalist as reformer, according to his own experiences.

"You wrote investigative pieces on city school; did you see any changes made as a result?" I asked.

"How old are you to ask such a naive question!"

Reporters today do not write with the intention to reform. That puts so much pressure on the person that objective writing would be impossible. Carl Bernstein and Bob Woodward did not write with the intention of felling Nixon and his corrupt government. They were just following the course of their assignment: the break-in of democratic headquarters. In their book, All The President's Men, they make this point clear. The rape of a country was covered with the same method as the rape of a woman. Many journalists do not even like the term "investigative reporter." All journalism acts on the same level.

With this in mind, it is almost ironic that a newspaper article could lead progress. But it is just this type of ~~laissez-fair~~ attitude that makes journalists so effective. This low-key feeling, the nothing-can-hurt-me illusion, and innate relaxation are the paramount facets of a reporter's personality. They are necessary for avoiding intimidation.

Dan Rather was Nixon's gadfly. His true colors showed when he stood at a press conference to shoot a question at the self-made monarch who was defending his crown.

When Rather stood-up there was applause from the audience and Nixon asked Rather if he were running for public office. The calm reply was, "No, Mr. President. Are you?" 29

While giving advice to journalists, Rather explains his attitudes. He says, "Many times reporters are shot a comment that is made to throw them off guard since they are so overloaded with respect. LBJ said to a reporter who had gone through a complicated question, 'Well, first of all, I don't even think you can repeat the question.' The reporter could not.

"I have gotten in hot water before for saying this but I strongly believe that in our system no citizen has to face any leader on bended knee. He is not standing before a monarch, or a descendant of the sun god." 30

29 Rather, Dan, The Camera Never Blinks, (New York: Ballantine Books), p.9.

30 Ibid, p. 10.

The journalist is not the complete answer for school reform. In the same respect, solar energy is not the answer to the energy crisis. It is only a part of the solution. And the journalist as reformer is only effective under the right social conditions.

I believe I have indicated in this paper that the journalist's role as an education reformer can not be overlooked. To do this I have used my own experiences as a reporter while covering violence in the junior high and problems in special education programming.

There are two more areas where the journalist could have an effect. Money: How are the millions being spent, Really. Testing Results: The reading and math scores could very well be a way to manipulate funding.

In closing, I'd like to use a quote by Ida Tarbell, one of the earliest muckrakers, who gave the word its truest meaning: "I realized early that what a man or a woman does is build on what those who have gone before have done, that its real value depends on making the matter in hand a little clearer, a little sounder for those who come after. Nobody begins or ends anything. Each person is a link, weak or strong, in an endless chain. One of our great mistakes is persuading ourselves that nobody has passed this way before." 31

³¹Filler, Louis, p.229.

SITE VISIT REPORT

NAME OF SCHOOL:



VISITED BY:

Carol Weiss, N.Y.S.E.D.
Regional Associate

REASON FOR VISIT:

Program Evaluation Update

DATE OF VISIT:

February 16, 1978

REPORT BY: CAROL WEISS

SCHOOL DESCRIPTION:

The [REDACTED] is located in a modern, clean and well maintained building. Ninety nine pupils are enrolled in the [REDACTED] Program. They are divided into the following groups: Early Childhood - 7 students; Educational Division - 20 students; State Program - 14 students; Over 16 Program - 58 students. Classes consist of no more than nine pupils; however, the age range in several classes exceeds the three year requirement.

The Educational Division of the [REDACTED] is comprised of four programs: 1) Early Childhood Development Program (ages 2-5) 2) Special Education Classes (ages 6-12) 3) Pre-Vocational Program (ages 13-15) and 4) Pre-Workshop Program (ages 13-15). The programs are open to any child between the ages of 2 through 15 who resides on Long Island, is ambulatory and has a primary diagnosis of emotional disturbance. The Early Childhood Development Program also provides services to children with secondary handicaps including physical handicaps (blindness, deafness, deformity); nervous system impairments resulting from a difficult birth, injury due to trauma in infancy, prematurity; and children from environmentally inadequate backgrounds (parental abuse, poverty, overcrowding, chaotic over-stimulation, inadequate diet, inadequate parents, etc.).

The Rehabilitation Division of the [REDACTED] Center provides a comprehensive day program of personal adjustment training, counseling and therapy, remedial academics, and vocational training in a simulated work setting to young adults between the ages of 16 to 21 who have been excluded from public education or employment because of an emotional disability. Any young adult between the ages of 16 and 21 who has a primary diagnosis of emotional disturbance, is ambulatory, and resides on Long Island is eligible for this program. The emotional disability may encompass a wide variety of emotional disorders, including: anxiety neurosis, psychotic reactions, character or personality disorders, or behavioral difficulties clinically attributable to organic brain impairment.

STAFF DESCRIPTION:

The clinical staff at the [REDACTED] consists of a Medical Director-Psychiatrist, a Chief Clinical Psychologist, a Staff Clinical Psychologist, and three Psychiatric Social Workers.

STAFF DESCRIPTION (CONT'D):

There are eleven teachers, seven assistant teachers and three paraprofessionals in the Center. There is one speech therapist and one physical education teacher.

In terms of teacher certification four teachers appear to be certified in special education. One teacher's certification is pending; however, it is not clear whether this is in the area of Special Education. Another teacher is certified in Nursery, Kindergarten and Grades 1-6, however not in Special Education. In the Rehabilitation Division five teachers lack Special Education Certification. One teacher in this division has the Nursery, Kindergarten Grades 1-6 certification in social studies which he does not teach. The remaining teachers have only a New York State Private School License.

PROGRAM DESCRIPTION:

Educational Division - The teachers at the [REDACTED] [REDACTED] are not required to keep daily lesson plans. A few do have plan books which are incomplete, not up to date and do not include the curriculum areas of science, social studies, music, art and physical education. The Individual Education Plan is made out only once a year and kept in the main office with the child's general file. After many spot checks, it was found that most of the Individual Education Plans have not been signed by the parent of the child. The Individual Education Plans were poorly developed. Most of them were not specific as to short and long range goals, emphasizing primarily the text books to be used. The subject areas mentioned were limited, with no emphasis on materials or approaches for the child. A parent would have difficulty understanding the plan of action. Materials that are to be included in the program are not specified, nor are the special services that will be offered to the student.

The lack of planning was obvious in the classroom. Many of the children were not receiving education based on their individual needs. In one room there were three adults (teacher, assistant and volunteer) with five children. The three adults were attempting to play a lotto game with four of the children. Only one child was involved in the game and all three adults addressed themselves to this youngster. The other three were not paying attention most of the time and instead were getting drinks of water, playing with a mirror, rocking on their chairs, and running around the room. Another child was playing in a cubby and refused to join the game when requested to do so by his teacher. When he finally decided to join the group, no one paid attention to him, so he left again. The ratio of adults to children in this room was excellent. Individual instruction could have been provided and should have been provided.

PROGRAM DESCRIPTION (CONT'D):

In another room there were two students, a lead teacher and an assistant teacher. The teacher did not have his plans complete and permitted the students to do any activity they desired. The schedule that was posted was not followed. The teacher had no direction in the lesson and seemed to take his cues from the teacher assistant. The teacher assistant seemed to take her cues from the students. The lead teacher then tried to gain control of the boys, but was unable to hold their attention.

In another room, the teacher was doing math with the boys in his class. Three boys were given individual math assignments as they were seated around a table. The fourth boy was laying uninvolved on another table. The teacher in this situation tried to individualize the work; however, the close proximity of the students around the table was disruptive. The teacher would explain something to one student and it would interrupt the others. When the child who was resting on the table was ready to do work, the teacher was not ready to give him an assignment. Manipulative materials should be available for the children so that when they complete their assignments or are waiting for help, they do not waste time and can be productive.

The closets containing the materials were messy in most of the classrooms. It looked as if many fine materials were hidden on the shelves. There appeared to be a lack of manipulative materials in the classroom that could be related to academic assignments. The Education Division Director suggested that she had some math supplies in her office; however, they belong in the classroom. One teacher was totally unaware of the variety of materials and supplies in his closet and obviously did not use them with his students.

When asked to see samples of the children's work, it was explained that the work was taken home. There was a lack of display of student work in the classrooms or around the school, halls etc. It would be beneficial for the pupils to see their good work on their bulletin boards and around the school.

The rules in the ~~Woodland Mental Health Center~~ about smoking or carrying matches and cigarette lighters are too lax. High school students were seen smoking in the corridors next door to Educational Division pupils. This type of behavior can not be permitted. Students suspected of carrying matches, lighters or cigarettes must be asked to keep such objects out of school. If necessary, they may need to be searched daily until they understand the importance of the issue. Lessons on why this is a school rule should be incorporated into the curriculum.

PROGRAM DESCRIPTION (CONT'D):

Rehabilitation Division - The Rehabilitation Division Program seemed organized and well managed. The new Division Director appears to be highly motivated to improve the existing program. Contracts have been developed for each student which indicate an agreement with the pupil, establishing long and short range goals. The program for each student is based upon evaluations including testing, work samples and observations. A new program, The Community Meeting, has recently been developed to encourage the students to express themselves and to get feedback from them about the program. During these sessions, which are held for forty five minutes weekly, the students and the staff discuss all aspects of their program. A suggestion box is available for the pupils and the responses are read aloud at the Community Session. The emphasis on student involvement and improvement is evident in this program. The Food Service Division, Graphic and Creative Arts, Business and Clerical Occupations Divisions all were operating well with an emphasis on individualization of program. The pupils appeared to be involved with their assignments and most of them seemed to enjoy what they were doing. The students were anxious to explain their projects and were proud of their accomplishments. The atmosphere in the rooms was open and fostered freedom to learn and discover.

Almost all of the Individual Education Plans in the Rehabilitation Division lacked parental signatures. They need to include more detailed explanation of the academic skills being taught with an emphasis on short and long term goals. Materials that are to be used with the activities must be indicated. Special services must also be included.

Supportive Alternative To Education - The Supportive Alternative To Education at the ~~Woodward Mental Health Center~~ is a program whereby children from a nearby junior high school spend half days at their "home" junior high and half days at Woodward. At the ~~Woodward Mental Health Center~~, the students receive supportive group therapy, socialization, therapeutic recreation and individual attention. The boys in the group appeared to enjoy the program and the facilities provided by the Woodward Mental Health Center.

Day Care/Day Treatment Program - The Day Care/Day Treatment Pilot Program at the ~~Woodward Mental Health Center~~ is for young adults ages 16 to 21 years. The Treatment Program was set up to aid patients who have been released into communities from State Mental Institutions. Twenty people are registered in this program.

SUMMARY

The [REDACTED] was visited to update the program evaluation. The highlights of the Center are the clinical services offered to parent and child, the Rehabilitation Division Program, and the Supportive Alternative to Education Program. The Educational Division Program is grossly inadequate.

Areas requiring improvement include the following: 1) Hiring certified teachers of special education. 2) Setting up classes to meet the proper age-range requirements. 3) Directing teachers in program planning. 4) Developing realistic Individual Education plans with parent-teacher involvement. 5) Planning an appropriate curriculum program. 6) Reorganizing closets and providing manipulative materials related to assignments. 7) Establishing the role of the teacher, teacher assistant and paraprofessional. 8) Using desks and individual work areas for individual assignments rather than group table work. 9) Displaying pictures and work of the students in the school and 10) Forbidding smoking and the use of matches and lighters in the school.

The above conclusions were discussed with the Executive Director of the Educational Division at the close of the Program Evaluation Update. The Director of the Education Division expressed a desire to improve existing conditions in the Division. She voiced a need for help and did not attempt to defend the shortcomings of the program.

RECOMMENDATIONS

Continued state approval for contracting cannot be granted unless the following recommendations are complied with fully:

1. Effective immediately, there is to be no smoking allowed by students in the halls, classrooms or bathrooms of the school building. If an enclosed, fire-safe area away from the elementary age students is available, a smoking lounge for the high school age students may be set up there. This lounge, if established, must be supervised to insure adequate health and safety precautions.

2. All classes must be in compliance with regulations on age range within classes within 30 days of this school visit. Revised class lists must be submitted as documentation of these changes.

3. All teachers must have N.Y. State certification in special education. Those teachers who do not have this certification must be replaced by others who do. Documentation of compliance with this recommendation by submission of photocopies of the appropriate certificates must be presented within 30 days.

RECOMMENDATIONS (CONT'D)

4. An educational director with a strong background of work experience with handicapped students and of supervision and training of special education teachers is to be hired within 60 days. It is to be the responsibility of this individual to supervise the teachers in the development and implementation of appropriate IEP's for all students and to help teachers organize their classrooms and instructional and behavior management strategies so as to make individualized teaching possible.

5. A series of inservice training sessions on the planning and implementation of appropriate individualized educational programs is to be held over the next 60 day period. If an educational director can be found quickly enough, these sessions may be conducted by that person. If not, an outside agency or educational consultants with expertise in these areas should be engaged to conduct these sessions.

6. New IEP's must be developed for all students. This involves beginning with appropriate assessments of current levels of functioning in all areas for all students, going on to developing appropriate long and short-term goals and instructional strategies (methods and materials) for all students in all areas and the ordering of such instructional materials as may be necessary to implement the IEP's. Planning conferences with parents must be held. Significant progress in this process must be demonstrated within 60 days and by the end of 90 days the new IEP's must be fully implemented in all classrooms.

Compliance with these recommendations will be carefully monitored by the State Education Department through a series of visits which may be unannounced. Regular reports on progress towards compliance will be submitted to the Assistant Commissioner for the Education of Children with Handicapping Conditions.

NY COMMISSIONER FOR
EDUCATION OF CHILDREN
HANDICAPPING CONDITIONS

DIVISION OF SUPERVISION,
EDUCATION OF HANDICAPPED CHILDREN
Long Island Regional Office
Nassau County BOCES
Salisbury Center
Valentines & The Plains Road
Westbury, New York 11590

June 9, 1978

Mr. George Barrett
Director of Special Education Department
Long Beach City School District
Blackheath Road Administration Building
Blackheath Road
Lido Beach, Long Beach, N.Y. 11561

Dear Mr. Barrett:

I would like to thank you and The Long Beach Committee on the Handicapped members for meeting with me on June 6. I realize that this was not a regularly scheduled district C.O.H. meeting, and I do appreciate the time offered by the members for this session.

As we discussed, The Long Beach Committee on the Handicapped is out of compliance in the following areas:

1. The composition of the Committee, Chapter 853 - 4402.b(1), "The board of education or trustees of each school district shall establish a committee on the handicapped, composed of at least a school psychologist, a teacher or administrator of special education, a school physician, a parent of a handicapped child residing in the school district and such other persons as the board of education or the board of trustees shall designate..."
2. The invitation to the parent to attend the Committee on the Handicapped, Chapter 853, 4402 (3) (c) "Provide written prior notice to the parents or legal guardian of the child whenever such committee plans to modify or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child and advise the parent or legal guardian of the child of his opportunity to address the committee....."

*failure to provide written prior notice -
the committee met illegally without the parent of the child*

Mr. George Barrett

June 9, 1978

3. The written notice to the parent by the Committee on the Handicapped regarding its recommendation, Regulations of the Commissioner, Part 200.5 b (2), "Such notice shall:

- (i) Describe in detail the recommendation to the board of education or trustees.
- (ii) Specify the test or reports upon which the recommendation is based.
- (iii) State that the school files, records and reports pertaining to the child will be available for inspection and interpretation. Such records shall be available for duplication at reasonable cost.
- he. rights of the parents*
(iv) Describe in detail the right to obtain a hearing in accordance with the provisions of subdivision (d) of this section if there are objections to the recommendation.
- (v) *show parents the right to appeal*
Include a statement of procedures for appealing the decision resulting from the formal hearing.
- a parent's right to an independent evaluation*
(vi) (Indicate that the parent or legal guardian shall be afforded an opportunity to obtain an independent educational evaluation of the child and which shall include names, addresses, telephone numbers of appropriate public and private agencies and other professional resources where such services may be obtained. The parent has a right to such independent evaluation at public expense if the parent disagrees with the evaluation obtained by the school district. However, the school district may initiate a hearing to show that its evaluation is appropriate. If the impartial hearing officer's recommendation is that the evaluation is appropriate, the parent has a right to an independent educational evaluation but not at public expense. *M*
- (vii) Indicate that the parent or legal guardian may be able to obtain free or low-cost legal and other relevant services at no expense to the school district and which shall include the names, addresses and telephone numbers of appropriate agencies and other professional resources where such services may be obtained.
- if for*
(viii) Indicate that the pendency of any proceedings conducted pursuant to this section, unless the commissioner or local board of education and the parents or legal guardian otherwise agree, the child shall remain in the then current educational placement of such child, or, if applying for initial admission to a public school, shall be placed in the public school program until all such proceedings have been completed. " —

Mr. George Barrett

June 9, 1978

- Handwritten: Home Victory*
4. The recommendation from the Committee on the Handicapped within thirty days from the date of referral, Regulations of the Commissioner, Part 200, Section 200.5 (2) (c) "...in the event that the committee on the handicapped fails to make a recommendation within thirty days from the date that a child has been referred to such committee for evaluation and recommendation, a parent or legal guardian may request, in writing, an impartial formal hearing...."

I appreciate your verbal assurance during our meeting indicating that the Long Beach Committee on the Handicapped will try to comply with these mandates. However, I do require documentation indicating that these issues of non-compliance have been corrected. Please send this information to my office by June 30.

Thank you for your cooperation.

Sincerely,



Carol Weiss
Regional Associate

CW:vn

CC: Dr. Jerome Oberman
Dr. Robert Cuarino
Dr. Hannah Flegenheimer
Mrs. Barbara Carlough
Mrs. Barbara Gipp
Mrs. Sheryl Gilbert
Mr. King Sinanian

- 1 -

Introduction

The Long Beach School District has a total school aged population of approximately 5500 students. Of these, about 295 or 4½%, have been identified as handicapped. The district serves about 190 of these students in 20 self-contained classes for neurologically impaired, emotionally disturbed and educable mentally retarded students with the district. In addition to these self-contained indistrict classes, Long Beach's handicapped students are placed in BOCES, private day and residential schools and in neighboring districts.

Reasons & Procedures for Evaluation

This district-wide survey of special education services provided by the Long Beach School District was prompted by a series of parent complaints about the district's Committee on the Handicapped procedures and its apparent violations of Federal and State laws and regulations. As a follow-up to these complaints, a Committee on the Handicapped meeting was attended, meetings were held with the district superintendent, the special education director, principals of the district schools and most of the teachers of classes for the handicapped. In addition, all 20 self-contained classes in the 6 schools within the district were visited. Two of the three resource rooms for learning disabled students were also observed.

Program Review

A. Strengths

The major strength in the special education program throughout the district appeared to be the concern and dedication of some of the staff serving the handicapped population. All teachers, with the exception of one, are appropriately certified in special education. The one teacher who is not certified has received a year's time extension from the N. Y. S. E. D. Division of Teacher Education and Certification to complete certification requirements. It should be noted, however, that the district's Director of Special Education does not appear to have the required certification as a school administrator/supervisor. Some classrooms were well organized and well-structured and were equipped with well-designed teacher-made materials. In general, the physical facilities were adequate.

B. Deficiencies

1. C.O.H. Evaluation and Placement Procedures

The Committee on the Handicapped procedures used by the district present a host of problems:

a. Students are prescreened at the building level and decisions are made at this level by the school psychologist as to whether the student should

be referred to the Committee on the Handicapped. This appears to be a violation of Section 200.5 (b) (1) which makes it the responsibility of the C.O.H. to determine whether a child is handicapped.

b. Building level principals are referring students who appear to be disabled to the resource rooms rather than referring them to the C.O.H. for evaluation, classification and recommendations. These students also do not have IEP's at this time. In one case a principal has placed a child into a self-contained special education class without referring that child to the C.O.H.

c. When a child is referred to the C.O.H. for evaluation no written releases are requested from the parents as mandated by Section 200.5 (a) of the Regulations.

d. Evaluative data collected by the C.O.H. are in many cases, incomplete. Section 200.3 (d) of the Commissioner's Regulations requires 4 basic evaluations for each referred child: a psychological, a medical, an educational, a social history plus other necessary examinations. In many of the folders for handicapped students in the district, the social histories, and other appropriate data, were not apparent and physical examinations appeared to be incomplete: vision and hearing tests were often not done or their results were not recorded.

e. Evaluation procedures for children whose dominant language is not English did not appear, in all cases, to be done in the child's primary language or were totally absent. In one striking instance, a Spanish-speaking student was given no formal tests because of his Spanish language background and was placed in a class for the brain injured following only informal evaluative procedures.

f. In some instances, the C.O.H. appears to classify students on the basis of available classes rather than on the basis of their handicap. Thus, some students' handicaps are identified as "BOCES" while others were identified as "therapeutic residential treatment center."

g. In some instances, students have been classified as having a specific handicap, but are placed into classes which appear to have no relationship to their identified handicapping condition. For instance, a student with a tested IQ of 84 and a handicapping condition identified as emotional disturbance was placed in a class for the educable mentally retarded. Another student, classified as learning disabled, is in a class for the brain injured and a student identified as brain injured is being educated in a class for emotionally disturbed. This is a clear violation of the categorical placements required by Section 200.4 of the Regulations.

h. When no class placement in district classes for the handicapped are available, some students are left in regular classes. In one case, for example, a student was classified as brain-injured and the C.O.H. recommended placement in a self-contained class for the brain injured. When no space was available in such a class, an itinerant tutor for the learning disabled was requested and the student was left, for the remainder of the school year, in his regular class placement.

i. Annual review of each handicapped student's status, as required by Chapter 853 of the Education Laws of New York State of 1976, are not done by the C.O.H.

j. Triennial re-examinations, as required by Chapter 853, are also not done.

k. The timelines of 30 days to complete evaluations and make placements, specified by Section 200.5 (d) are not being met. The C.O.H. meets only once a month and when they do meet, they discuss as many as 31 students, making the value of these discussions somewhat questionable.

l. A census of the handicapped students in the district is a responsibility of the C.O.H. under Section 200.12 of the Regulations. Although no such census existed at the initial visit to the district, a census is now being prepared and it is expected that this will be completed before the end of the year.

2. Chronological ages within classes

Of the twenty self-contained classes in the district, 4 violate the chronological age limits specified in Section 200.4 of the Regulations. Of these 4, 3 exceed the specified limits by as much as a full year.

3. School hours

Section 175.5 of the Commissioner's Regulations requires that students at the elementary level receive 5 hours of instruction exclusive of lunch and that students at the secondary level receive $5\frac{1}{2}$ hours exclusive of lunch. These mandated hours of instruction are not being provided in all cases:

a. Primary level: The East School provides a school day of $5\frac{1}{4}$ hours; including lunch, for B.I. and E.M.R. students and 5 hours, including lunch, for the E.D. students. The need for lunch as instructional time is questionable for these students. It is not included in the IEP's, and instruction is not provided during the lunch hour.

Lido School: The school day for the handicapped is 5 hours, including lunch. The school day ends at 1:30.

Lindell School: The school day for handicapped students is 5 hours, including lunch.

Magnolia School: This school provides a full school day, equivalent to that of nonhandicapped students.

b. Secondary level: Junior High School - The students arrive in school at 7:40. The official school day, however, does not appear to start until 8:10 and ends at 12:15 (with lunch time included in this schedule).

High School: This school is in compliance with mandated school hours.

IEP's

Individualized education programs are not available in all classrooms; some are in school offices, not readily accessible to teachers and for those students entering special education classes, the IEP's are not generally prepared within the mandated 30 days. IEP's were examined on a random basis and were found to be incomplete and poorly developed. Long and short-term objectives were vague and general when they existed. Assessment procedures to achieve educational objectives were equally vague or non-existent. Related services were sometimes indicated as being needed but it was not clear that these recommended services were being supplied. There was no indication of the anticipated duration of special education services, no indication as to the amount of time students would be able to spend in regular classes and no indication of the methods and materials to be used. Parents' signatures, indicating that they had attended the mandated IEP planning conference, did not appear on several forms.

The Special Education Director of the district has scheduled an IEP training workshop for January 22, 1979 to train teachers in order to correct these shortcomings.

The IEP planning conferences are not carried out with the participation of the personnel specified in 200.4 (f) (2) (ii). Only the parents and the classroom teacher are present at these conferences.

Mainstreaming

Mainstreaming is done on a building by building basis. Decisions made by the principal determine placement, rather than recommendations of C.O.H. IEP planning conferences. There is no district-wide plan for implementing the "least restrictive environment" provision of the law, although one is currently being developed. Some students eat lunch with their normal peers, are transported to school with nonhandicapped students, and have some academic studies with the nonhandicapped, however, there appears to be no consistency in this process. Some teachers indicated that, with support, their students could be more fully mainstreamed.

On the other end of the spectrum there are students who are fully mainstreamed for all their activities but are still classified as handicapped and are included in the district's count of handicapped students.

Program Problems

The identification of the problem areas in the special education programs of the Long Beach School district came about as a result of classroom observations and conversations with staff. Although it should be noted that some classrooms function well as a result of the devotion and expertise of specific teachers, there are significant problems in the delivery of special education services throughout the district:

a. Lack of individualized instruction. Although Federal law and regulations mandate that instruction in the classroom be individualized to conform to the instructional needs of the students as specified by the IEP's, instruction in many classes was observed to be provided on a group basis. In these classes students were being taught the same material in the same way, regardless of their individual levels of functioning or the instructional methodology most appropriate for them. In one class all students were given the same spelling test. The scores on this test ranged from 0 to 95%. In another class, all the students were reading out of the same social studies text although one of the students had been identified as a non-reader. In one class, individualization of instruction consisted of having students work on different pages of the same workbook.

The school district does not require teachers to prepare lesson plans and while this may be of benefit to those teachers who are very skilled, it appeared to contribute to the lack of individualization of instruction in many classrooms.

b. Poor behavior management: In several of the classes observed, behavior was managed poorly or not at all. In one class visited, the teacher was trying to develop a behavior modification system but this system had not yet been implemented. During the visit, students were running around the room while the teacher attempted to control them. Finally the teacher managed to get all the students in their seats and to take out their workbooks. Some children refused while others obeyed. As students began to work, the teacher tried to provide them with individual assistance, but with students calling for her attention on all sides, the classroom quickly subsided into chaos again. One child turned off the lights; the teacher asked the child to turn them on again. The child refused. The teacher attempted to reach the switch to turn the lights on again, but as the confusion in the classroom mounted, the teacher was distracted from her mission and lights remained off. One child ran out of the room, the teacher ran out to retrieve the child, leaving the visitor in charge of the class.

In another class, attempts at behavior control took the form of putting disruptive students into the corridor. This resulted in a constant stream of traffic in and out of the classroom as students were sent out or allowed to return, making instruction difficult, if not impossible.

In a third class observed, the visitor was asked to take over the class while the teacher had to deal with an emergency concerning one student. When the teacher returned after 10 minutes, students were observed to be throwing books, cursing, and generally misbehaving.

In yet another class, the teacher had to leave to meet with a parent and the speech teacher. Again, the visitor was left alone with the class. Chaos ensued when the teacher left the room and one can only assume that this situation was not unique to the day of the visit.

Behavior was well and systematically managed in some classrooms. In classes which were well run, the teacher appeared to be highly organized, the class was well structured and expectations were carefully made explicit.

c. Lack of adequate teacher supervision: Although the responsibility for teacher supervision and evaluation rests technically with the building principals, the district's administrative structure is such that there is no one with a background of training and experience in special education providing supervision or in-service training to the special education classroom teachers. As a result, each of these teachers is left essentially to his/her own devices and the quality of the education provided to the handicapped students is directly proportional to the skill of the teacher.

d. Lack of adequate and appropriate instructional materials

Many classes appeared to be lacking appropriate and varied instructional materials to meet the needs of the students. While the teachers who had been in the district for a period of years had managed to accumulate a reasonable quantity of materials, those teachers who were relatively new had not been able to do so. Conversations with teachers suggested that they had been given no guidelines as to how much money they could spend on materials. Teachers had ordered materials some of which had never arrived. They found it difficult to carry out an instruction in the face of not knowing what materials they would have to supplement those plans.

Lack of planning for continuing needs of handicapped students

A number of unmet needs which have not yet been addressed appear to exist in the district:

1. Students who are well and rather extensively mainstreamed at the elementary level in the Magnolia School are mainstreamed much less when

They go on to the 5th and 6th grade Lindell School. While they ride the regular buses with nonhandicapped students and have a full day of school when they attend Magnolia, they ride segregated buses, have shortened school hours and more self-contained classroom activities when they go on to Lindell.

2. Students who are placed in B. L. classes at the elementary and junior, high school levels appear to have no provisions made for them at the high school level. There are no classes for the brain injured in the high school and it is unclear what happens to these students when they leave junior high school.

3. Vocational education in the district is very limited. Although a few students participate in a district-sponsored greenhouse project and some attend part time BOCES occupational training programs, the remainder of the students in the in-district junior and senior high school special education classes receive no prevocational or vocational training and leave school with no marketable skills. This is an area of serious concern.

4. Weak Administrative Structure for Special Education

Many of the problems identified throughout this report may stem from the administrative structure used by the Long Beach School District in the direction of its special education program. Lines of authority are split and often confused between the central administration and building level staff. It appears essential to define more clearly the responsibilities and authority of the special education director and his $\frac{1}{2}$ time assistant and to relieve them of their non-special education duties. At the moment, the special education director is chairperson of the C.O.H. and is responsible for all of its activities as well as being responsible for inservice training of special education teachers, the supervision of IEP preparation and implementation, the supervision of homebound instruction and a variety of pupil personnel activities. The assistant director of special education is assigned on a half-time basis to this task and his duties appear somewhat nebulous. Teacher supervision, while nominally the responsibility of the special education director, is actually the responsibility of the building principal. This seems to result in the teachers' receiving little or no direct supervision and confused lines of authority. There appears to be communication problems between the special education director and the district's chief school officer which also contribute to the district's administrative difficulties. It should be noted that the special education director has tried three times to resign as chairperson of the C.O.H. but has not succeeded as a result of the district's apparent inability to find another person to fulfill this responsibility.

Summary

The Long Beach School District was visited over a period of several months for a district-wide review of special education programs and services. While some strengths were identified, many problems exist in the district. Many of these problems are in areas of compliance with Federal and State laws and regulations. Compliance issues centered around the evaluation and placement procedures of the Committee on the Handicapped, IEP's, hours of instruction,

ranges within classes and provisions for the "least restrictive environment." In addition, problems relating to the quality of services were identified. These problems have to do with supervision of special education programs and teachers, inservice training for special education teachers, behavior management problems and the lack of individualized instruction in many classes. Problems in the administrative structure governing all aspects of special education in the district appear to be a significant factor underlying many of these difficulties.

Recommendations

In order to be eligible for continued Federal funding under Part B of the Education of All Handicapped Children Act and continued Federal funding in accordance with the provisions of Section 504 of the Rehabilitation Act of 1973 as well as State funding, the Long Beach School District must take the following corrective actions:

1. Committee on the Handicapped

1. Children may not be evaluated at the building level without a referral to the C.O.H. for a determination as to whether that student is handicapped.

2. No individual evaluations of students may be undertaken without written parental permission. All evaluation and placement procedures must be consistent with the provisions of Section 200.5 of the Commissioner's Regulations.

3. As specified in the Regulations, the timelines for 30 days from referral to placement recommendations and another 30 days for actual placement must be met. This cannot be done if the C.O.H. meets only once a month; nor can careful consideration of each case be given by the C.O.H. if each month's agenda includes from 24 to 31 cases. The C.O.H. must meet as frequently as required to meet timelines and to prepare thoughtful recommendations for each child. A C.O.H. sub-committee, with the same 4 mandated members as the central C.O.H., may be set up in order to lighten the burden of the current C.O.H.

4. Parents must be informed in writing of placement recommendations for their children and of their due process rights in relation to these recommendations.

5. C.O.H. recommendations must include not only those for class placement but also recommendations for any related services (as defined in Section 200.1 of the Regulations) required in order to enable a child to benefit from special education. All recommended related services must be included in the IEP's and must be provided.

6. No child is to be placed into a special education program without C.O.H. review and recommendations.

7. Children are to be placed into special education classes appropriate to their identified handicap and C.O.H. recommendations, not on the basis of where space is available.

8. All non-English dominant students must be tested in their dominant language.

9. Evaluations for special education placement must include the 4 basic components specified in the Regulations as well as whatever supplemental evaluations are deemed necessary by the C.O.H. All diagnostic procedures required must be provided directly by the district or paid for by the district.

10. Annual reviews of each handicapped child's status must be done by the C.O.H.

11. Triennial re-examinations must be done by the C.O.H.

12. The census of all handicapped children from birth to age 21 must be revised annually so as to be up-to-date.

Chronological Ages Within Classes

Classes within the district must be restructured so that they comply with the age ranges specified in Section 200.4 of the Regulations. Revised class lists should be submitted to the Region V office of the O.E.C.H.C. by January 15, 1979 indicating compliance with this requirement as well as with the requirement that all students are placed in classes according to their handicapping condition.

School Hours

1. School hours must be revised to conform to the requirements of Section 175.5 of the Commissioner's Regulations. Revised schedules for those buildings where these requirements are not being met should be submitted to the Region V O.E.C.H.C. office by January 15, 1979.

2. Hours of instruction for students being given resource room assistance may not be less than 1 hour per day, five days per week, in groups of no more than 5 students, as required by Section 200.4 (c) of the Regulations. This may require hiring more resource room staff or extending the working hours of the present staff.

3. By the same token, all students identified by C.O.H. as "severely speech/language impaired" or "other speech/language impaired" must receive the hours of instruction specified in Section 200.4 (d) (3) of the Regulations. Again, this may require the addition of additional staff since it is unlikely that the district's one speech teacher can meet these needs.

Documentation of these changes should be submitted to the Region V office by January 15, 1979.

IEP's

1. New IEP forms should be developed by the district so that all the information mandated by Section 200.4 (b) can be included. These forms should be developed prior to the January 22 IEP training session already scheduled so that teachers may be instructed in their use at that time. The new form should be submitted to the O. E. C. H. C. Region V office by January 15 for review and comment.

2. Following the January 22 IEP training session, all IEP's should be redone so that they conform to the requirements of the Regulations. This should take place within 30 school days of the training session and new IEP planning conferences, including all the required personnel as well as parents, should be held within this period to complete the IEP process.

3. IEP's must include related services recommended by the C. O. H. These related services must be provided at no cost to the parents.

4. The new IEP's should include provisions for instruction in all appropriate curricular areas, including prevocational and vocational training.

5. All classroom instructional activities must reflect the IEP's which are to be used as the basis for all instructional planning as mandated by Section 121 a. 349 of the Rules and Regulations of P. L. 94-142. Methods and materials used in the classrooms must be consistent with those specified in the IEP's.

6. As required by Section 200.4 (f) of the Commissioner's Regulations, each IEP must contain information as to what portion of the student's day can be spent in the regular classroom. This means that mainstreaming must be planned on the basis of each student's needs and capabilities rather than on the basis of principals' decisions or time blocks for groups.

7. IEP's must be available in all classrooms so that the teachers may refer to them in planning instruction.

E. Certification of Special Education Director

The Director of Special Education of the district does not appear to have the required school administrator/supervisor certification. It is recommended that he submit his transcript and resume to the N. Y. S. E. D. Division of Teacher Education and Certification for evaluation and specifics as to what he would need to complete the certification requirements. It is up to that office to make a decision as to whether a time extension, and how long an extension, is appropriate so that this individual may be in compliance with the Regulations on certification.

The implementation of these corrective actions will be carefully monitored by the staff of the O. E. C. H. C. Region V office through the collection of the required documentation and through unannounced site visits.

Program Recommendations

The following are recommendations which should improve the quality of special education services and programs throughout the district:

1. Inservice training of special education teachers should continue beyond the scheduled January 22 IEP preparation workshop. Necessary topics should appear to be: implementation of IEP's in the classroom, methods and materials to meet individual needs, classroom organization to make individualization of instruction possible, the management of behavior.
2. Aides should be considered for some of the more difficult classrooms. Under no circumstances should teachers be allowed to leave classes unattended and unsupervised. If nothing else, a floating aide should be available to provide coverage when a teacher must leave the room.
3. The administrative structure of the special education programs should be reorganized and strengthened so that lines of authority, responsibilities and duties are clearly specified and allocated in such a way as to make these tasks manageable. The supervision of the preparation and implementation of IEP's should logically be done by the same person who is responsible for the supervision and evaluation of classroom teachers since these tasks are virtually inseparable. Ongoing in-class supervision of teachers is essential and should be a part of the inservice training of these teachers. It may be that these duties and those involved in the C.O.H. evaluation and placement procedures are more than 1½ special education administrators can sensibly handle and that, even with a carefully redrawn organization chart, 2 full-time administrators will be necessary to carry out the various administrative tasks inherent in a smoothly functioning special education program. In addition, better communications between the special education administrators, and the district's chief school officer appears to be essential.
4. Plans for prevocational and vocational training for students educated within the district must be developed. There seems little point in educating these students up to age 21 if, upon leaving school, they have no marketable skills and cannot obtain entry-level employment.
5. The status of the B.L. students who go through elementary and junior high school in classes for the brain injured must be clarified. It seems unlikely that all of these students are "cured" upon admission to high school.
6. The problem of providing a more restrictive environment to students transferring the Lindell School from the Magnolia School where mainstreaming is being effectively carried out must be resolved.
7. Consistent with this, some training for regular educators who are likely to have mainstreamed special education students in their classes is strongly recommended. Resistance to mainstreaming on the part of these teachers could probably diminish if they knew how to deal with the educational and behavior management needs of these students.



OFFICE OF THE SUPERINTENDENT OF SCHOOLS

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Appendix D

DR. JEROME P. OBERMAN
SUPERINTENDENT OF SCHOOLS

December 21, 1978

Ms. Flegenheimer
Associate Coordinator for Regional Programs
Division of Supervision, Education of Handicapped Children
Division Office
World Trade Center
New York, New York 10047

Ms. Flegenheimer,

We are in receipt of your report dated December 8, 1978. Recognizing our responsibility towards children with handicapping conditions, the following actions are being taken in response to your memorandum:

1. We have discontinued the practice of prescreening students at the building level and making decisions by the school psychologist as to whether the student should be referred to the C.O.H. We will follow Section 200.5 (b) (1), and have the C.O.H. make the decision as to the student's condition.
2. All building level principals have been notified that they may not refer nor place students into resource rooms nor into Special Education classes. This is a function of the C.O.H.
3. All concerned personnel have been notified that no referrals to the C.O.H. may be made without prior parental release.
4. Health records are in the process of being updated and physical examinations are being scheduled, where necessary.
5. A list of those students requiring reevaluation on a triennial basis has been completed and the reevaluations are presently being done.
6. Classroom instruction time has been adjusted to reflect the State mandated requirement at the elementary and secondary school levels. This new time schedule will go into effect January 2, 1979.
7. Social histories, wherever necessary, are being provided on a crash program basis so that they will be complete in the very near future.

8. A program of closer supervision by the building principal as well as the Director of Special Education is being developed to improve classroom management procedures, lesson plan preparation and utilization, and improvement in teacher-student relationships.

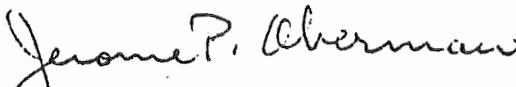
9. Mr. George Barrett, Director of Special Education, is compiling his records and transcript for evaluation with regard to a certificate in Administration and Supervision. After this evaluation is completed, Mr. Barrett will take whatever steps are necessary to remediate any deficiencies.

As you can see, Ms. Flegenheimer, we have instituted a number of corrective actions immediately; others will undoubtedly take us several weeks to complete, while all others may require a longer period of time. For example, we would request a postponement of moving students from one class to another at mid-year. It is our feeling that such a transfer at this time would be counterproductive. It is our intention, of course, to make all necessary changes effective July 1, 1979, with your approval.

I hope the actions already started and those contemplated in the very near future, demonstrate our intent to comply fully with the Commissioner's regulations.

Since we received your memorandum on December 14, 1978, and since the holiday season cuts severely into our worktime, we would, at this time, ask for an extension of the January 15 deadline to at least February 15. During the next several weeks we shall continue to make every effort to comply fully and thoroughly with the Rules Regulations in this area so that we can provide the best education for the handicapped. I am confident that with your assistance and cooperation we shall be in full compliance before too long.

Sincerely yours,


Jerome P. Oberman
Superintendent of Schools

cc
Carol Weiss
Louis Grumet

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