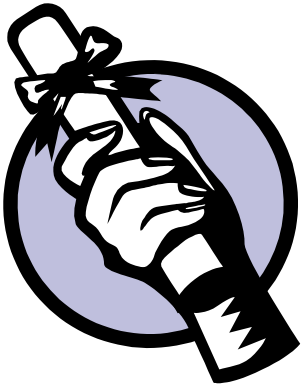


THE SPECIAL EDUCATION MUCKRAKER

MUCK OF THE MONTH AWARD JUNE 2003



TO: Richie Mills, Commish; Larry Gloeckler, Commish-2; & Jimbo Kademus, Commish-2, NYS Ed. Dept.- FOR: Adapting The New Math To The No Child Left Behind Act So That ZERO EQUALS ONE!

Proposed amendments to the Regulations of the Commissioner relating to the No Child Left Behind Act of 2001 (School/District Accountability and Data and Reporting Requirements):

1) Definitions. As used in this subdivision: ...(iv)performance index shall be calculated based on the four student performance levels defined in subparagraph (iv) of this paragraph. Each student scoring at level 1 will be credited with 0 points, each student scoring at level 2 with 100 points, and each student scoring at levels 3 or 4 with 200 points. The performance index for each accountability group will be calculated by summing the points and dividing by the number of students in the group...(iv)performance index shall be calculated based on the four student performance levels...(v)performance levels shall mean: (a) level 1/basic:... 2) for high school:... (i) a score of less than 55 on the Regents Comprehensive Examination in English or a Regents Mathematics Examination or a failing score on a state-approved alternative examination for those Regents Examinations; (ii) a failing score on the Regents Competency Tests in reading or writing; a failing score on the Regents Competency Test in Mathematics; (iii) a score of level 1 on the NYSAA; (iv) a cohort member who has not been tested; or (v) the score of a student with a disability who participates in the local assessment option.*

The Albany Ghost Student Refrain: To The Tune of "Johnny's So Long At The Fair:

"Oh, Dear, what can the matter be?
S.D.'s didn't test 'em - Our numbers are scatter-y
Ghost students' empty chairs are just too, too clatter-y
We've Left Too Many Behind, But Who Cares?"

Dear Diary: What's a poor bureaucrat to do? The Albany Dynamic Duo woke up one dreary morning to face the New Reality of No Child Left Behind's cap on the percentage of disabled students not tested. And the old reality that 30% of all N.Y. disabled high school-age students weren't tested. *Now where did all those little boys get to, anyway? Aha! They're The Disappearados: the amazing "class" of NYS disabled high school "exiters" who dropped out, or were pushed out, of high school-age programs years ago - but were conveniently kept on the enrollment and attendance rolls till just before they should have graduated to keep those mega federal and state excess special ed bucks flowing in.** Through honest "clerical error," of course! Ahem. "Can't give 'em diplomas, 'cause to whom would you hand the diplomas?" "Aha, "Move 'em." Er, we mean move 'em into OSEP's "Moved, Known to Continue" category of disabled high school exiters 'cause we honestly know they've been moved... somewhere. Hey, we even helped 'em move! Out of high school, into the streets or community GED programs or ... into oblivion. And when they've been "moved" they don't count as dropouts. Yesssssssss! But now, Dear Diary, The Paige-inator wants us to test them; and report their scores; and report whether they've been tested or not. Disaster! How do you test "the man who wasn't there?" Ahahaha. Ohohoho. Clever little Golem, Golem. We'll have districts "report" these Disappearados' test scores as zeros, so we don't really reward districts too much for strenuously padding reported sped. enrollments with "ghost" students, but we'll let districts report them as having been tested so they - and us, Golem, Golem - don't get NCLB capped-out and listed as a State In Need of Improvement with most of its districts publicly listed as (horrors!) Districts in Need of Improvement (SINI with many DINI). Yessss! Clever Golem, Golem. Keeps the gold flowing in. Golem, Golem, Golem.*

Dear Reader: Will the Board of Regents Keep the Gold Flowing In or Take the High Road and Stop the State Ed. Dynamic Duo+1 from Counting Disabled Kids Out? Stay Tuned: Regents Meeting: June 16-17, 2003, Albany, New York.

* <http://www.regents.nysed.gov/June2003/0603emscd3.htm> - Proposed Amendment to the Rules of the Commissioner of Education, by Memorandum Dated May 27, 2003; Regents Agenda for June 2003 meeting. [Note - If what you read on line doesn't look like what we've reprinted above... e-mail us for our archived copy of the muck which was there when we looked.

** See Grand Illusion: An Investigation into Enrollment and Attendance Manipulation at Brandeis High School," Edward F. Stancik, (Dec'd.), Special Commissioner of Investigation for the New York City School District, March 2000 (call 212-510-1400 for a copy); See also Pushing Out At-Risk Students: An Analysis of High School Discharge Figures, The Public Advocate for the City of New York and Advocates for Children, November 2002, at: <http://www.advocatesforchildren.org/pubs/pushout-11-20-02.doc> (155,000+ NYC HS students possibly pushed out 1999-2001; many disabled). And many great NY Post stories by Carl Campanile.