

# THE SPECIAL EDUCATION MUCKRAKER

Dee Alpert, Publisher  
(Well, somebody's got to do it.)

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## RAPISTS: 0 - SHOOTISTS: 1 SAY WHAT???

### AHEM. SHOULD BE: NYS ED. DEPT. RAPES NO CHILD LEFT BEHIND - NEW REGS SAY SCHOOLS WITH MANY RAPES AREN'T PERSISTENTLY DAN- GEROUS - UNLESS RAPISTS USE WEAPONS!

In a stunningly cynical nullification of the *clear* intent of the No Child Left Behind Act's "persistently dangerous schools" provision, which lets parents transfer their children from violent schools to safer ones, the New York State Education Department has approved a regulation which *only* counts weapons crimes when deciding whether a school has an excessively dangerous environment.

**MUCKRAKER FLIES STICKING ON THE REGENTS' WALL** could just about hear Deputy Commish Jimbo Kademus at last week's Board of Regents meeting: "Now Reegies, let's get *really* real: *Shootouts are baaaad; gang rapes are ... not sufficiently degrading of educational environments so as to warrant parental choice transfers. But a fellow with a knife – hey – now that's what's what should totally make a kid scared to go to school. And we can't have that! Can we?"*

**RIGHT!** The Memorandum actually said: "The Unsafe School Choice Option (USCO), ... requires each ... to establish and implement a statewide policy allowing students attending a persistently dangerous public school, or students who become victims of a violent criminal offense while in or on the grounds of a public school that they attend, to attend a safe public school. ... *A [New York State] public elementary or secondary school will be designated as "persistently dangerous" if the school has in each of two consecutive years: one or more firearm violations or a ratio of weapons incidents to school enrollment of three (3) percent or greater.*" (Memo, NYS Ed. Dept. Dep. Com'r. James Kademus to the NYS Board of Regents, June 10, 2003, at: [www.regents.nysed.gov/June2003/0603emscd6.htm](http://www.regents.nysed.gov/June2003/0603emscd6.htm)).

What more can the **MUCKRAKERS** possibly say? We couldn't have evaded NCLB's Unsafe School Choice Option better if we'd tried to do it ourselves. Should **MUCKRAKERS** do an article? What could we say? Ahem. Aha! By George (actually, it's By Jim), we've got it!

### NY'S BOARD OF REGENTS CAMPAIGNS TO FORCE PUBLIC TO SUPPORT VOUCHERS BY DEFINING DOWN DEVIANCE IN PUBLIC SCHOOLS!

Albany, NY: (Muckraker News Service) After deciding that there was not enough public clamor for State-financed school vouchers in New York, the New York State Board of Regents, acting on a recommendation from Commissioner Richard Mills and Deputy Commissioner James Kademus, passed an emergency regulation eviscerating the No Child Left Behind Act

so that parents can only transfer their kids to safe schools if the schools they currently attend have many, many “weapons incidents.” But, if their schools have (unarmed) gangs roaming the halls, throwing students down stairways; invading classrooms; brute force extortion demands in the halls; daily weaponless muggings, and riots in the cafeteria, along with general weaponless mayhem, well . . . tough on them!

The regulation, which will turn No Child Left Behind into a *very* bad joke, is *obviously* designed to spur the public to demand that the Legislature pass a publicly-financed voucher law which would give every parent in the State of New York a voucher equal to, or greater than, the tuition of the ritziest private or parochial school of his or her choice, *plus a bonus* - if they would only – please - get their kid(s) out of the public schools - now. [End article.]

Remember Daniel Patrick Moynihan’s protest against “defining down deviance”? Back when it was not a crime - to the cops - to use drugs in public and urinate in the street? We hypothesize that the Regents feel that New York’s public school parents are smart enough to figure out that nobody in their right mind should send a kid to a public school which is part of a system run by them, when *they* refuse to admit out loud that a rape or mugging rape is a violent crime, whether the perp uses a weapon or not. Or perhaps they just don’t care because their kids aren’t enrolled in one of the many extremely dangerous public middle and high schools in New York.

Maybe the Regents (and State Education Department honchos) have counted all their beans and figured out that would be cheaper to send every New York State school-age kid to private or parochial school at State expense than it would be to educate him or her properly – as long as you abolished the State Ed. Department and its low-level clones, the BOCES. And, it’s would be a lot easier, too. Which seems to be all that counts in New York’s No Child Left Behind reverse-accountability system. So while the muckety-mucks don’t have the nerve to publicly demand dismantling of the State’s public school system, they’re doing the next best thing by officially legitimizing school environments in which no child can learn – and very few actually do. Are they hoping that all of New York State’s parents will get so darn mad that they’ll storm the Legislature in Albany, by the millions, demanding State tuition vouchers so they can get their kids out of dangerous schools?

**THE MUCKRAKERS SAY:** Your tax money at work, folks. New York’s governmental leaders often complain that New York sends more money to Washington, DC in taxes than it gets back in federal grants, funding and services. **MUCKRAKERS SAY** that if the Board of Regents and New York State Education Department are allowed to get away with evading their responsibility to make districts and BOCES run safe schools, then the feds should cut off all their education money and send even less back to Albany than they usually do!

We’d go into more detail except we’re too disgusted. **MUCKRAKERS** only want you to remember a few simple things:

1. In a memo to the Board of Regents, Deputy Commissioner Kademus made it clear that one thing they’re *really* upset about in Albany is that *the police control reporting school incidents and crimes in New York City*. Local superintendents and principals there can’t manipulate violent incident reports and numbers the way State Ed.’s rules very carefully let them do in the rest of the State. So unless *only* weapons crimes are counted in the State’s violent schools index, . . . horrors! . . . a lot of nice kids in truly dangerous New York City neighborhood high

schools could be transferred by their parents to nicer, safer schools in other neighborhoods. And the New York State Education Department and Board of Regents would rather die than let concerned, informed, involved parents make that kind of choice for their children. The upshot? If a gang throws your kid down a high school stairway, or throws him or her off the school's roof ... it doesn't count. Now, what are you complaining about, pops? I mean, your son's got an *auto-graphed cast* to show for his Monday in school.

2. None of the New York State No Child Left Behind regulations – for school reading and math scores, graduation and dropout rates, or the new ones for persistently dangerous schools, apply to *any* of the 91 publicly-operated, all-special education schools in New York State. And it looks the score, graduation, dropout and dangerous school standards will be waived for every single “alternative” high school in New York State, too.

3. Deputy Commish. Kademus went on to write that: “In addition, the category of Personal Injury or Intimidation, which accounted for the largest number of reported incidents, combined several subcategories including intimidation, bullying, menacing, reckless endangerment, kidnapping, and assault, making it of questionable value in determining whether a school is persistently dangerous.” **NOW, ISN'T THAT SPECIAL?** For those of you who have squishy soft kids who are bothered by “intimidation, bullying, menacing, reckless endangerment, kidnapping, and assault,” better start toughening ‘em up, right now.

Research shows that kids with disabilities are victims of “intimidation, bullying” and the other bad things in the “Personal Injury or Intimidation” category, including those in neighborhood high schools, far more often than non-disabled kids. And the Board of Regents and State Ed. higher-ups wouldn't want to insure that disabled kids feel safe enough to attend school all the time, *because they're disabled* - they haven't received effective, research-validated remediation because State Ed. doesn't require it, and everyone knows they will bring down their schools' test scores, making even more NCLB headaches. If State Ed. and the Board of Regents can think of any little way to encourage even more disabled high school kids to drop out, they'll do it *con gusto*. And this sure is a good one. They've let most districts in the State report disabled high school dropouts as “discharged” and, for special ed. reports as “moved, known to continue” instead of “dropped out.” In fact, while the percentage of disabled high school kids who actually managed to graduate with any paper at all only rose from 32% to 33% between 1995 and 2001, the group of disabled high school “exiters” categorized as “moved, known to continue” skyrocketed 33%! Now, that's progress! Or is it?

**OOPS.** State Ed. didn't consult with parents, or the public, before arriving at its La La Land definition of a “dangerous school.” **MUCKRAKERS** think they should have. So, why don't all you parents and members of the public take the bull by the horns and contact the Regents all by yourselves? Here's the list of Regents, with addresses and phone numbers you can reach them at: <http://www.regents.nysed.gov/terms.html>. Say something like: “I want every single publicly-operated school in New York covered by the same, meaningful definition of “persistently dangerous school,” which fully honors the letter and spirit of the No Child Left Behind Act, so that parents can easily transfer their kids to safe schools, **and I want it now or I want vouchers so parents can send their kids to safe private or parochial schools.**”