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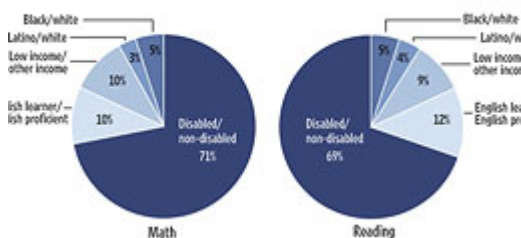
## When Special Education Goes Too Easy on Students

Parents Say Schools Game System, Let Kids Graduate Without Skills

By JOHN HECHINGER and DANIEL GOLDEN  
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GREENPORT, N.Y. -- On June 25, 2006, Michael Bredemeyer threw his tasseled cap in the air and cheered after getting his high school diploma. Two days later, his parents mailed the diploma back.

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Michael, now 19 years old, has learning disabilities and finished high school at a seventh-grade reading level, despite scoring above average on IQ tests. The Bredemeyers say he

passed some classes because teachers inflated his grades and accepted poor work. By awarding him a meaningless diploma, they say, school officials avoided paying for ongoing instruction.

"I felt proud because he had worked so hard," says Michael's mother, Beverly, her voice breaking. "You don't want to take that away from him. But you knew it wasn't real. What's he going to do in the future? Will he be able to go to college and get a job?"

The Bredemeyers represent a new voice in special education: parents disappointed not because their children are failing, but because they're passing without learning. These families complain that schools give their children an easy academic ride through regular-education classes, undermining a new era of higher expectations for the 14% of U.S. students who are in special education.

Years ago, schools assumed that students with disabilities would lag behind their non-disabled peers. They often were taught in separate buildings and left out of standardized testing. But a combination of two federal laws, adopted a quarter-century apart, have made it national policy to hold almost all children with disabilities to the same academic standards as other students.

The 1975 statute now known as the Individuals with Disabilities Education Act promoted putting special-education students in mainstream classrooms. The 2001 No Child Left Behind Act said schools would be punished if disabled children don't pass the same state tests as other students. It also requires states to set standards for high-school graduation rates and meet them for all students, including those with disabilities.

By some measures, the extra attention is paying off. Test scores and classroom grades of disabled students are rising, and their high-school graduation rate increased to 54% in 2004 from 42% in 1996.

But critics say some of the gains have come because schools have learned to game the system. For instance, federal rules allow states to make "reasonable accommodations" to help disabled students pass tests and graduate, such as allowing extra time on exams. Some schools, say critics, are giving students too much help, for instance by guiding students to the right answers on multiple-choice tests.

## MAKING THE GRADE

- **The Issue:** Some parents of students with learning disabilities say their children are graduating too easily.
- **The Background:** Federal laws raised school standards, but left loopholes. Increasingly, special-education students get special help to pass tests.
- **The Problem:** If schools game the system, those students move on without the skills they need.

From 2000 to 2005, special-education fourth graders showed more improvement in reading and math than the general population on an important benchmark test, the National

Assessment of Educational Progress. But accommodations also increased. In 2005, 70% of fourth-grade special education students received some sort of accommodation while taking the math portion, up from 44% five years earlier. In reading, 63% used accommodations in 2005, up from 29% in 2000.

On tests used to measure compliance with No Child Left Behind, more states are permitting students with disabilities to use calculators on arithmetic tests or have reading-comprehension tests be read aloud. Massachusetts education commissioner David Driscoll warned school administrators in February that an alarming number of special education students -- a quarter or half in some cases -- were receiving such accommodations on state exams. With unclear guidelines, "People start driving trucks through loopholes," he said in an interview.

Some school districts have an informal policy against failing students with disabilities even if they miss many classes or aren't learning. "I can go into any school we represent and have somebody tell me we have to pass special education students" to avoid being blamed for not providing the right services if students fail, says Janet Horton, a Texas special-education attorney. Federal law says special-education students should receive a "free appropriate public education," but it doesn't prohibit failing them.

Mardys Leeper and Carol Merrill, former teachers at West Philadelphia High School in Pennsylvania, say a special-education administrator there ordered them to pass special-education students. Ms. Leeper says she made concessions for students with disabilities, such as letting them write shorter essays or copy paragraphs she wrote onto a word processor rather than composing their own. But when those students didn't make an effort, or skipped class, both teachers say they sometimes sought to fail them -- only to have the administrator insist on passing grades. The reason they were given: Students had met the goals of their federally mandated individual education plans, IEPs, spelling out goals and services for each special-education student.

"Students who weren't even participating, even trying, we couldn't fail them," says Ms. Merrill, an English teacher who retired this year. Even if they couldn't read, "I had to give them a 'D.'"

The administrator couldn't be reached for comment. Brenda Taylor, head of special education for the Philadelphia school district, called the matter a "breakdown in communication." The district has no written policy against failing special-education students, she says. But rather than being "punitive" if a student performs poorly or cuts class, she says, the district prefers to revise a student's IEP. "We're not in the business of failing students," Ms. Taylor says.

Only 19 states require all students to earn the same kind of diploma, according to a recent University of Minnesota survey. Some of those states let special-education students amass fewer course credits to earn the degree, the survey found. Other states give substitute certificates, in some cases called IEP diplomas, to special-education students who don't qualify for standard diplomas.



**Michael Bredemeyer**

Many special-education parents are happy to see their children advance through school and graduate. Reggie Felton, director of federal policy for the National School Boards Association, says special-education students learn more in regular classes even if they're given a break on assignments or grading. The federal government recently decided to triple the percentage of students allowed to take easier tests, to 3% from 1%. Some legislators have proposed exempting more students.

But the rebellion against too-easy passing is growing, says Pam Wright, who with her husband has co-authored books on special education issues and operates a Virginia-based information clearinghouse for special-education parents. She estimates she now receives more than 1,000 email messages a year from parents lamenting that their children with disabilities take mainstream courses but aren't being taught as much as their classmates. Dozens of parents have contended in recent administrative appeals that their children did not deserve the diplomas they received, she says.

The family of Alba Somoza, who has cerebral palsy and speaks only with the help of a computer, filed one such case. Alba drew national attention in the 1990s when her family successfully pushed to include the then-third grader in a regular classroom. Then-President Bill Clinton backed her cause, and Alba, now 23, graduated with honors from a New York City high school in 2002.

Last year, Alba and her family filed an administrative case claiming her education was a sham. A school report prepared weeks before she graduated showed she had language and math skills at an elementary school level, court records show. "You cannot shunt children through -- you cannot scam them through the system," says Alba's mother, Mary.

Since shortly after she graduated, New York has been paying for a special program for Alba that costs \$400,000 a year -- including a full-time teacher, an aide, transportation and extensive technology. The city says it is doing so out of compassion, not legal obligation. The family is seeking to continue the public funding another year to help Alba receive enough education to work as a museum docent.

The Somozas lost the administrative case, but a judge in U.S. District Court in Manhattan ruled in the family's favor earlier this year and ordered another hearing. Rather than develop a program that would help Alba reach her academic goals, teachers lowered the curriculum's "level of difficulty" and removed "large and meaningful portions of its substantive content," the judge said. One teacher testified that he did most of the work on Alba's final project in 2002. New York officials say the school properly adapted the curriculum for a severely disabled student.

In northern California, Jennifer McGowan, an 18-year-old who is deaf in one ear and suffers from attention deficit hyperactivity disorder and learning disabilities, was supposed to graduate from Vacaville Unified School District in June. She didn't get her diploma --

because her family won a court injunction to stop it.

In an interview, Jennifer said she often received A or B grades for poorly completed work or, at times, when she didn't do assignments at all or show up for class. Achievement tests she took in January 2005 showed that she had the math and reading skills of an elementary-school student, according to her administrative complaint.

The school district denies her grades were inflated and said she showed her proficiency by passing a high-school exit exam. John Aycock, Vacaville's superintendent, said teachers did "a great job working with Jennifer." Jennifer says she failed the exit exam several times despite intensive preparation. "They just wanted to pass me and let me fly by," she says. The school system says it's not unusual to make several attempts to pass.

At the Mercer Island school district in Washington state, the family of a girl with severe learning disabilities complains that, instead of the intense instruction she needed to master reading and math in eighth and ninth grades, teachers showered her with accommodations: a peer note-taker, a peer to read materials to her, oral exams, reduced assignments and a calculator on math tests.

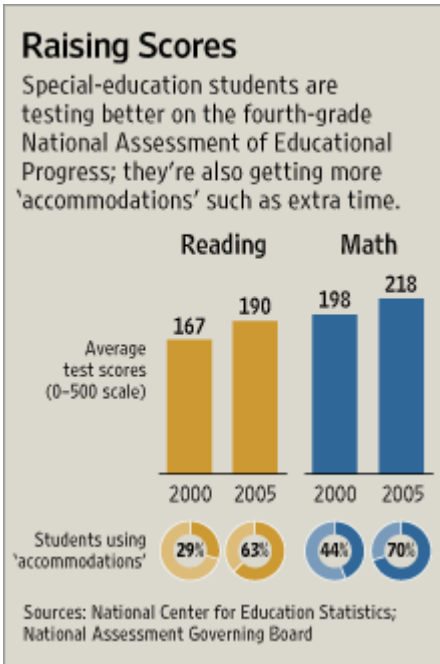
At an administrative hearing, the family -- whose names are not disclosed in the court papers -- sought to force the school system to pay for her private schooling. Noting her strong A and B grades, the district successfully argued that accommodations were helping her learn. In U.S. District Court in Seattle, a judge hearing an appeal of the case disagreed last year, saying the system improperly relied on accommodations rather than instruction, and has returned the case to a hearing officer to determine financial relief for the family.

Boxes of school correspondence and Michael Bredemeyer's old tests and assignments line the hallways of his family's weather-beaten saltbox house in Orient, N.Y., on Long Island's North Fork. Michael's parents are demanding public funding for more services until age 21, to which students are entitled unless they graduate, so he can improve his academic skills for college.

John Bredemeyer, a county public-health inspector, and his wife, Beverly, had high hopes for Michael, who has a strong work ethic and a knack for repairing machines. But once he entered public middle school in nearby Greenport, his parents worried that teachers were letting him skate through classes and tests.

Michael, who has attention deficit hyperactivity disorder and learning disabilities including dyslexia, says in some classes he "definitely earned" a passing grade, but others were "borderline." He took regular classes except for one period a day. "A little more one-on-one" instruction would have helped, he says.

On state achievement exams, Michael's IEP permitted him extra time, simplified instructions and guidance from a teacher to slow him down if he rushed through answers. But when he completed the eighth-grade math test, his special-education teacher also took him to the resource room and directed him to redo problems he had answered incorrectly.



According to a memo from Greenport Superintendent Charles Kozora, the teacher "exceeded the intent" of Michael's accommodations, boosting his score. The state investigated and invalidated Michael's test.

Mr. Kozora said the school system had only two cases of testing irregularities in six years, few conflicts with parents over special education and "many successes" among students with disabilities. The district says achievement, and not cost, dictates its decisions on graduating students.

When Michael was a junior at Greenport High, his chemistry teacher passed him with the minimum grade of 65, even though he says he spent much of the class doodling and playing solitaire on his laptop. Checking his assignments and tests, his parents couldn't understand how he could be passing.

In a letter, the school principal acknowledged that the final grade was a "miscalculation" and should have been 56.6, or an F. The school offered to let him make up his lost credits by volunteering in the town library. When his parents balked, he was instead placed in courses in sociology and psychology. On one psychology pop quiz, five of Michael's seven answers were marked wrong, but a failing grade was crossed out on the paper and a passing score of 65 was substituted. The school district declined comment.

For a senior English assignment, he received an A for one untitled paragraph. "I believe competition today has changed dramatically," he wrote. "Back in the day, sports was some of the only sports that had competition. Today, everyone wants to compete and only be successful. School work, school sports, major league sports, all involve high amounts of success and competition. Competition today has become very extreme." His English teacher, Michael Connolly, said he didn't remember the assignment and had no comment on the grade.

On standardized tests, Michael had mixed results: On the SATs, which have a 200 to 800 scale, Michael received 330 and then 370 in two tries on the reading test, in the bottom 10% of all students nationally. On math, he scored 460 both times. He failed two state exams and passed five others. His school grades put him in the bottom one-third of his class.

A month before graduation, the Bredemeyers debated whether he should accept the degree. "I wanted to have it," Michael says. "Get it and forget it."

On graduation day, a school band played "Pomp and Circumstance." Michael's parents, his sister, his grandmother, aunts and uncles watched as he walked up to the podium and a school official handed him a purple diploma case with his name etched in gold letters.

Michael says he knew his parents might not let him keep it. "I had a feeling they'd do something like that," he said, shrugging. "I'll eventually get it back, one of these days, months, years." This summer, Michael has been mowing lawns and picking up trash at a state park for \$9 an hour. This fall, he plans to enter his second year at Suffolk County Community College, which does not require a high-school diploma. Last semester at Suffolk, he received a D-plus in freshman composition, D's in statistics and Western Civilization and an F in the history of rock 'n' roll.

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