

"Federation Corner" column
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Concerning the allegations about student pay and bank accounts at Rock Terrace School

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I have been a special education attorney/advocate for over 15 years, and during that time, have helped many families access the special education program at Rock Terrace School. The program at Rock Terrace is unique within Montgomery County Public Schools (MCPS), as it is a self-contained special education school for students with intellectual and developmental disabilities who need a smaller, more structured yet nurturing environment, and who will most likely be entering supported employment programs upon graduation.

During their years at Rock Terrace, students have the opportunity to perform in-school jobs, ranging from light office tasks to food service, and when they are ready, to work in the community under supervision. This transition to adulthood program at Rock Terrace is a valuable one and should not be jeopardized by the current movement away from self-contained programs, as there will always be students who need that environment to succeed.

An investigation has been completed by MCPS's Human Resources department concerning alleged financial mismanagement of students' pay and associated recordkeeping. While I appreciate that aspects of this situation are personnel-related, that is only one piece of the problem. Families originally discovered that their children had secret credit union accounts, set up by Rock Terrace staff without their knowledge or permission, when their children's public benefits, like food stamps and Social Security payments, were affected. Credit union records show that money was deposited into, withdrawn from, and transferred among accounts all without parents' knowledge. Account statements were sent to the school, not to the home, so parents were kept in the dark about these financial transactions.

The Montgomery County State's Attorney is now investigating the criminal aspects of this scheme, and that investigation is expected to last several months. These allegations concerning financial mismanagement of Rock Terrace student earnings have been known to Montgomery County Public Schools upper administration for at least five months. Every day that passes without swift action by MCPS to discover which students had bank accounts, and what happened to the money in those accounts, serves to jeopardize those students' adult services, their Medicaid benefits, and their Supplemental Security Income payments. On multiple occasions, I have sent emails to the Associate Superintendent, the Superintendent, and the Community Superintendent urging them to contact the affected families and begin to rectify the situation.

The students and families are owed an accounting of how much money their students earned, and what happened to the rather large sums of money that were withdrawn from the credit union accounts without the families' knowledge. Due to the impact this money has already had on some families' ability to access public benefits for their children, it is of the utmost importance that there be no further delay in a proper accounting.

I renew my suggestion that a forensic accountant is necessary to investigate the financial liability of MCPS to individual students. By now, the Board of Education should realize that this situation has been going on for many years, and cannot, and should not, be swept under the rug, and will not be resolved quickly. MCPS must go back to at least 2004, and contact all students who have been enrolled at Rock Terrace since 2004, and ascertain how much money they earned, whether it was

placed in credit union accounts, and whether W2s were generated. Unfortunately, the Board of Education has not taken any action to resolve the situation for these families. According to Larry Bowers, MCPS's Chief Operating Officer, MCPS has asked its lawyer to ascertain whether the student pay constitutes "wages," despite the fact that MCPS itself generated W-2s for students showing earned income. Incredibly, these students' W-2 forms were sent to Rock Terrace School and never distributed to the students or parents.

In addition, other actions must take place to protect vulnerable students: MCPS must develop revised procedures to protect confidential student information (i.e., Social Security numbers), and strengthen controls over the use of confidential information. The procedures to pay students for work performed should be thoroughly documented, and that information made available to parents.

Professionals in the field of employment of youth with disabilities should revise the in-school and out-of-school work programs to conform with educational best practices, and to be in compliance with recent US Department of Justice findings (see, for example, the DOJ's recent actions in the Providence, Rhode Island school district).

Parents, students, teacher, and advocates alike want Rock Terrace to be a strong vocational program for students with disabilities. The alleged financial mismanagement of the student pay gives a black eye to a program that serves a vital need in the special education community. MCPS needs to outline the steps it is taking to contact the affected families, and when they expect the money to be returned to the students. Immediate communication with all of the affected families would be a good place to start to repair the damage. The longer this situation is allowed to fester unresolved causes families and advocates to wonder if MCPS's true intention is to "outwit, outlast, and outplay" the students and families who placed their trust in Rock Terrace School.

The views expressed in this column do not necessarily reflect formal positions adopted by the Federation. To submit an 800-1000 word column for consideration, send as an email attachment to the montgomerycivic@yahoo.com