

Federal Switch: State Special Ed Wins High Praise

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In a complete turnaround from earlier threats to cut off federal aid to state programs for the handicapped, federal officials have praised the state Department of Education as "one of the nation's earliest leaders in the development of statewide educational programs for the handicapped."

In a letter to Wilson Riles, state superintendent of public instruction, a high-level Reagan administration official in charge of special educa-

tion programs criticized the "style and language" of a 56-page, November 1980 U.S. Department of Education report on California programs. He said the report's conclusions were inappropriate.

State officials, threatened with the loss of approximately \$80 million in federal aid to the handicapped as a result of the critical report, have insisted it was politically motivated and biased. They claimed it was intended to "single out" California programs as an example of federal enforcement powers.

"There is no factual evidence to explain why they did what they did," assistant state schools superintendent Davis Campbell told the state Board of Education in January. "We are the largest state. Maybe they felt if they could knock off California, they could expand their efforts to other states."

Campbell said the federal review team which conducted the April 1980 review of California programs did not write the report and disagreed with its findings. The report purportedly was based on review team findings.

An angry Riles held a press conference shortly after the critical report was released and called it "the worst example I have ever seen of bureaucratically outrageous interference with the operation of schools, interference that dictates a reduction of services to handicapped children."

Riles had said he would tell federal education officials to keep their money rather than bend California

to federal dictates outlined in the report. And he said he would go directly to top officials in the lame-duck Carter administration and the succeeding Reagan administration to protest the highly critical language of the report.

Apparently, his protests were successful because the Jan. 15, 1981, deadline for California to take "corrective action" — or risk losing the federal money — never was enforced.

The report's authors found California in violation of federal laws and court decisions which prohibit segregation of handicapped students or the use of I.Q. tests to place black children in classes for the retarded. State officials, who deny any such segregation, are appealing a federal court ruling that the state education department acted unconstitutionally in using I.Q. tests for special education placement.

Vic Biondi, Riles' press secretary, Thursday characterized the report as "harassment, the parting shot of that administration. We were never

in a position of losing the money."

The complimentary tone of the Sept. 3 letter to Riles was a complete about-face from the critical report, although both came from the same special education section of the U.S. Department of Education — albeit under different administrations.

Herman R. Goldberg, acting assistant secretary for special education and rehabilitation, who has served in the education departments of both the Carter and Reagan administrations, said in the letter that recent meetings of federal and state officials "have placed into proper context" California's leading national role in developing programs for the handicapped.

"The review of California's special education program conducted by our Office of Special Education in April, 1980, identified several program areas which required corrective action," Goldberg wrote Riles. "As I indicated to you and members

of your staff during my Sacramento meeting ... we find that the style and language in the 56-page, Nov. 21, 1980, letter (the critical report) ... was inappropriate.

"Further, we find that that letter came to conclusions which were too prescriptive and ... some of the decisions reached in that letter went beyond the statute and the regulations."

Goldberg said areas needing "corrective action" in California's use of federal dollars for special education included investigation and resolution of complaints and monitoring of private schools in which the state places certain handicapped students with special needs. Goldberg said state officials have taken action to remedy those concerns, and are "making progress" in other areas involving state monitoring and review of special education programs.

Goldberg praised the "creative efforts" of state education officials to monitor programs in a period of declining funds.