

**CITY OF BALTIMORE  
COUNCIL BILL 06-0158R  
(Resolution)**

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Introduced by: Councilmembers Harris, D'Adamo, Clarke, Young, Curran, Holton, Mitchell,  
Welch, Spector, President Dixon, Councilmembers Rawlings Blake, Reisinger  
Introduced and adopted: March 20, 2006

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**A COUNCIL RESOLUTION CONCERNING**

**Investigative Hearing – The Status of Special Education Services  
in the Baltimore City Public School System**

FOR the purpose of requesting the State Superintendent of Education and the Chief Executive Officer and the Chief of Staff of the Baltimore City Public School System to address the Baltimore City Council on the school system's failure to provide court-sanctioned makeup services to special education students, the current status of Special Education Services in the public school system, and what measures the school system will adopt to address the needs of special education students in the future.

**Recitals**

In August 2005, the U.S. District Court authorized the State to manage 8 school system departments that affect special education services in the Baltimore public school system, as a result of the system's failure to provide and document required services to special-education students with disabilities in the 2003-2004 school year. In a report filed with the Court, the school system estimated that it owed special-education students 48,000 hours of speech and language therapy, 2,200 hours of psychology, 9,700 hours of occupational therapy, 1,500 hours of physical therapy, 18,000 hours of counseling, and 10,000 hours of social work.

At that time, the State and the school system submitted competing consultants' proposals to the Court on how to give special-education students nearly 90,000 hours of makeup services they should have received over the school year and summer recess. Under the school system's proposal, consultants would be paid up to \$10 million and would bring their own providers, while under the State's proposal, consultants would be paid \$2 million to oversee the delivery of services by school system personnel. Ultimately, the Court authorized the State School Superintendent to send 9 State managers to oversee all City school system programs and departments affecting the delivery of services to special education students.

Recently state education officials reported that the City has done little to deliver the court-mandated makeup services owed to 9,000 children – of the 90,000 hours owed, the City school system has provided a woefully inadequate 3,974 hours of service. While Baltimore school officials do not dispute the fact that services have not been delivered, they differ with the State as to the cause of the shortfall. Baltimore officials contend that there is a severe national shortage of the specialty clinicians that are needed to provide the services, but State officials insist that the local school officials have failed to contact the clinicians that the State has recommended as qualified to provide the make-up services

EXPLANATION: Underlining indicates matter added by amendment.  
~~Strike out~~ indicates matter deleted by amendment.

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1 While State and local officials continue to assess blame and point the accusatory finger of  
2 failure at each other, our special-needs kids continue to suffer. The current controversy is a  
3 continuation of a long standing problem where those least able to give voice to their needs are  
4 those that are given the least. It looked like someone was finally paying attention to these kids  
5 when a suit was brought on their behalf against the State and the City school system in 1984, but  
6 22 years later they are still being given short shrift.

7 As the educational professionals, the lawyers, the politicians, and the courts continue to  
8 bicker about whose fault it is and how best to get the job done, decades of special education  
9 students leave the education system little better prepared for the daunting adult life that awaits  
10 them than when they entered the system as children. Whose fault it is matters not – to a person  
11 who cannot balance a check book, read an instruction manual, follow the directions on a  
12 medication, get a job, or live independently!

13 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the State  
14 Superintendent of Education and the Chief Executive Officer and the Chief of Staff of the  
15 Baltimore City Public School System are requested to address the Baltimore City Council on the  
16 school system's failure to provide court-sanctioned makeup services to special education  
17 students, the current status of Special Education Services in the public school system, and what  
18 measures the school system will adopt to address the needs of special education students in the  
19 future.

20 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, the  
21 Honorable Members of the Baltimore City Delegation to the 2006 Maryland General Assembly,  
22 the State Superintendent of Education, the CEO and Chief of Staff of the Baltimore City Public  
23 School System, and the Mayor's Legislative Liaison to the City Council.