

Statement of Michael and Maria Waller,  
Parents of three Seven Locks Elementary School children

To the Montgomery County Council  
Hearing on the Denis Amendment, March 21, 2006

Dear Council President Leventhal and Colleagues,

We are the Seven Locks Elementary School family that MCPS officials ridiculed more than a year ago for having raised questions about possible fraud, waste and abuse in MCPS activities relating to the Seven Locks/Kendale school issue.

We come here tonight in support of the Denis Amendment.

The County Council has taken a first big step toward greater oversight of the MCPS budget, to ensure that tax dollars are spent wisely on educating county children, and to protect the taxpayers, the kids, the teachers, and the integrity of the public school system from fraud, waste and abuse.

Recent developments have gone far to promote better transparency, accountability, and oversight. The Denis Amendment is an excellent example of good things that can happen when parents, community leaders, and elected officials work together.

However, we are concerned that, even if the Denis Amendment is passed, the task force set up to work on the matter is filled with officials who have been part of the problem from the beginning, and who have a track record of obfuscation and in some cases, intimidation of critics.

This entire controversy never should have happened. MCPS used manipulation and deception to pit two communities against one another. Now the Potomac Elementary and Seven Locks Elementary communities are, by virtue of their mutual support for the Denis Amendment, united as they should have been in the first place.

**Problems with new task force**

However, it looks like the issue might continue to drag on. How is the public interest, particularly that of the Potomac and Seven Locks school children, protected by Kendale diehards who defended their ill-conceived project by way of deception, intimidation and insults against parents who raised inconvenient questions.

At least four of the task force members participated in the effort to thwart the Inspector General's investigation, to declare that the school system is off-limits to IG oversight, to discredit the investigation, and to impugn the personal integrity of Inspector General Thomas Dagley himself.

Some of those same members publicly attacked Seven Locks parents who oppose the Kendale scheme, maliciously questioning their motives and falsely accusing them of caring more for their property values than for their own children.

Those task force members and other officials made outrageous statements that were designed to intimidate people from raising questions and to discredit the very legitimacy of those questions. Their actions must not be allowed to stand.

Decorum prohibits us from naming the individuals in this hearing, but we will gladly provide the County Council with the names, instances, and corroborating details in writing upon request.

### **Not putting the children first**

When public school officials and others ignore repeated local PTA resolutions and impugn the motives of parents, as they have over the past two years on the Kendale issue, they cause us to wonder if they have lost their moorings.

If MCPS was putting the children first, it would never have misrepresented the community's lack of support – even opposition to – the Kendale plan, as the IG found it had done. The IG confirmed what a Seven Locks PTA leader had earlier testified to the school board: “Any statement or document that indicates that the community supports the new school is at best misleading, or at worst a simple lie.”<sup>1</sup>

If MCPS was putting the children first, it wouldn't need to lie to the parents.

When liars say they're putting the children first, parents get on edge.

If MCPS was putting the children first, it would have heeded the repeated votes of the Seven Locks Parent Teachers Association (PTA) against the Kendale scheme. The local PTA generally knows better than the central planners.

If MCPS was putting the children first, it never would have concealed information from the County Council about safety issues concerning Seven Locks and Kendale.

If the MCPS superintendent was really putting the children first, he never would have opposed Maryland House Bill 531, which puts school children's safety ahead of MCPS contractors and individuals illegally working in Montgomery County. Even the board of education unanimously rejected his recommendation.

If MCPS was really putting the children first, it wouldn't be discussing ways to “retaliate” and take “revenge” on the families of Seven Locks schoolchildren.

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<sup>1</sup> Jay Weinstein, Parliamentarian, Seven Locks Elementary School PTA, statement to the Montgomery County Board of Education, November 9, 2005.

### **Any more Clarksburgs?**

Last November, a member of this council specifically asked the county's new top zoning official to investigate whether there are "any more Clarksburgs."<sup>2</sup>

According to a member of the Board of Education, the Kendale issue is another Clarksburg – or worse. In that school board member's words, Kendale is "no different from what's happening at Clarksburg. It could be considered worse in a lot of ways because [MCPS] accounts for more than half of the county budget."<sup>3</sup>

Some community leaders say the Kendale problem is the tip of a scandal "worse than Clarksburg."<sup>4</sup> We think they might be right. Clarksburg appears to have been mainly a problem of passivity and carelessness, whereas the Kendale scandal was calculated and strategically planned.

Like Clarksburg, local citizens uncovered the wrongdoing. Like Clarksburg, officials stonewalled and even attacked the personal motives and integrity of those concerned citizens. Like Clarksburg, investigations showed the citizens to be right and the officials to be wrong.

### **MCPS officials ridiculed Seven Locks parents for raising fraud and abuse questions**

County officials have made it difficult for the parents of Seven Locks children to raise legitimate concerns like fraud, waste and abuse. In January 2005, a member of this council told the *Washington Post* that critics of the Kendale project were motivated by "racism."<sup>5</sup>

On at least two public occasions at Seven Locks PTA meetings, the MCPS Facilities Director openly ridiculed parents, including myself, for raising concerns about fraud, waste and abuse, and other wrongdoing common in the public construction industry. He and another MCPS official ignored repeated questions, both verbal and in writing, for information about those concerns, even though they answered different questions from other PTA members in a timely fashion. Those refusals to address the issue, we understand, raised questions for the Inspector General.

### **New task force membership risks dragging out the issue further**

So some of us are very concerned that the newly created task force will only prolong an ugly problem. Cases in point:

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<sup>2</sup> Jon Ward, "Veteran Official Tackles Clarksburg," *Washington Times*, November 5, 2005.

<sup>3</sup> "Report: School System Concealed Seven Locks Data," *Potomac Almanac*, February 14, 2006.

<sup>4</sup> Wayne Goldstein, First Vice President, Montgomery County Civic Federation, "Seven Locks IG Report Reveals Scandal Worse than Clarksburg," *Montgomery Sentinel*, February 23, 2006.

<sup>5</sup> Marc Fisher, "Good Intentions Often Falter When It's Time to Build," *Washington Post*, January 11, 2005, p. B1. Fisher quoted the county council member as saying about Kendale critics, "Racism and economic class issues are always lurking beneath. People are just too polite to mention it."

- **Defiance against IG.** The task force member who is the MCPS Chief Operating Officer, pinned down about the IG's finding that MCPS failed to follow proper contracting procedures, said this of the IG report: "In terms of anything else, we'll certainly not be responding to it."
- **Attack on parents' motives.** The MCPS COO tried to discredit Kendale critics by alleging that they cared more for their property values than for the children: "Many of those in the community who oppose this project have placed the interest of property values ahead of the interests of students."<sup>6</sup>
- **Ridicule of parents who ask about fraud.** Task force member who is the MCPS Facilities Director ridiculed parents who raised concerns at Seven Locks PTA meetings about possible fraud, waste and abuse in the Kendale project, and – despite a reputation for promptly responding to e-mail requests for information – ignored repeated e-mail letters concerning alleged fraud and corruption in the public construction industry.<sup>7</sup>
- **New untruth about SLES safety.** Now we find that the MCPS Facilities Director has told the Churchill Cluster PTAs that concerns about unsafe walking routes to Kendale are invalid because "There are no sidewalks along Bradley or Seven Locks and no safe walking routes for students at Seven Locks. . . . So the walking situation between the two sites are identical." This statement is patently untrue. Just this morning I walked the sidewalk along Seven Locks Road to the school.
- **For an investigation – then against it.** A task force member who is a member of the County Council has been hostile to citizens who raise fraud, waste and abuse concerns. Last May, when a constituent voiced worries about "unethical behavior" of public officials, the task force member falsely accused him of alleging "illegal dealings" and demanded that the constituent name names in public, saying the State's Attorney should know. Yet the same official tried to discredit the subsequent investigation by the county Inspector General.<sup>8</sup>
- **Part of the problem.** The fourth task force member is a consultant with MCPS who reportedly signed an affidavit as part of the group attacking the Inspector General's investigation.
- **Talk of revenge.** We increasingly hear talk from within MCPS that certain officials are trying to study "all options" in an effort to retaliate against Seven Locks families.

The county, the taxpayers, the schools and the kids don't need those types of people making decisions for the County Council.

If the County Council votes in favor of the Denis Amendment, it will have eliminated the need for a task force to explore other options. In this family's view, if the Denis Amendment passes, the task force should be abolished.

## Conclusion

As parents of public school children, we are worried about the integrity of the leadership Montgomery County Public Schools system. Loss of public confidence in MCPS is damaging to all, especially to the county's kids.

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<sup>6</sup> Tim Craig, "School Relocation to be Reassessed," *Washington Post*, March 11, 2006, p. B5.

<sup>7</sup> See the text of the February 8, 2005, letter attached to this statement.

<sup>8</sup> Ken Millstone, "Kendale Opponents Forge Ahead," *Potomac Almanac*, May 10, 2005.

The Inspector General and the County Council look like they are off to a good start to ensure transparency and accountability in the public school system.

We appreciate the work of Mr. Leventhal, Mr. Denis and other supporters of the Denis Amendment. They have found a compromise that brings the Potomac and Seven Locks communities back together where they were before MCPS artificially created the Kendale scandal. Those who oppose the compromise should gracefully admit defeat and not sabotage the outcome.

We will continue to monitor the issue in the months and years ahead to help restore public confidence in the leaders of our county's public schools.

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