

School of Hard Knocks

By Reg P. Wydeven
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During the NCAA's Final Four basketball tournament, lots of coverage was given to special fan Jason McElwain. Jason is the autistic boy from Rochester, New York, who was the manager of his high school basketball team but was able to play in their final game and scored 6 three-pointers in four minutes. Jason was carried off the court on the shoulders of his classmates, but not all victories have such a happy ending.

In the final minutes of a 2004 title game, Tucson High Magnet School's Joe Kay slam-dunked the game winning shot. Like in Jason's game, fans stormed the court and actually ended up trampling Kay, tearing his carotid artery that caused a stroke leaving him paralyzed on one side of his body.

Kay sued the Tucson school district and the parents of two students involved in the fracas for causing his injury. The lawsuits recently settled, and Kay will receive \$2.9 million from the school district and \$600,000 from the parents.

While nothing can compare to Kay's horrific experience, 4,411 high school students are having problems of their own. These students took the SAT college entrance exam in October and they received incorrectly low scores by up to 100 points or more. While these students were obviously upset, 600 other students received incorrectly high scores.

The incorrectly low scores were adjusted, but the inflated scores were not lowered. Still upset, one student from Dix Hills, New York, filed a lawsuit against College Board, who oversees the exam, and Pearson Educational Measurement, who tests the scores. In his suit, the student seeks unspecified damages, a refund of the test fee and a court order requiring an adjustment of the incorrectly high scores.

The student's lawyers are seeking class-action status for the lawsuit to allow any of the students whose scores were incorrectly too low to join in, but not those students whose scores were incorrectly too high. Many university officials agree with the lawsuit because they feel the inflated scores could unfairly influence college admissions and scholarship decisions.

More than 2 million students take the 2,400-point SAT exam each year, which measures reasoning skills in reading, writing and math. Pearson claims excessive moisture caused answer sheets to expand and some marks to be unreadable. The error was discovered when the College Board asked the company to hand-score some tests.

The attorneys handling the suit won a multimillion-dollar settlement from Pearson in 2002 for scoring errors that affected more than 8,000 students, causing some to miss graduation ceremonies after being told they failed a state-required exam.

Finally, as if high school wasn't hard enough already, Congress is trying to pass a law to restrict the sale of soda, candy bars, chips and other junk food in U.S. schools. Citing escalating childhood obesity statistics provided by the federal Centers for Disease Control and Prevention, the Senate Agriculture, Nutrition and Forestry Committee introduced a bill to have the Agriculture Department establish nutritional standards for all food sold in schools.

The department currently sets standards for breakfasts and lunches in federal school meal programs, but these standards don't apply to a la carte lines in cafeterias, vending machines or school stores.

Thank goodness this law wasn't around when I was in school. If it were, I would have spent a lot of time out by the dumpsters buying black market Doritos and Mountain Dew.

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