

Ransomware attacks on districts on the rise

According to a recent report in *Education Week*, the FBI and cybersecurity professionals are seeing a significant spike in “ransomware” attacks across all sectors in the past year or so. Criminals have hit all types of organizations, public and private, including several K-12 districts and local police departments in Massachusetts.

The most frequent hit on school district computers involves a self-replicating computer virus which “eats” its way through most of a school’s servers—including student information systems—and then encrypts huge amounts of data, making it impossible for district employees to access. The perpetrators may then demand a ransom from the district in exchange of a decryption key that will unlock the data. The alternative to paying could be rebuilding the affected district’s data systems from backups, or, worst-case scenario, from scratch.

Once the virus has infected a network and scrambled every Word document, spreadsheet and data file it finds, the people behind the attack tend to ask for a ransom in bitcoin, an untraceable virtual currency, in return for the decryption key.

Once attacked, a district has to weigh the cost of the ransom versus the cost of rebuilding the system and surviving for days, possibly weeks, without access to lesson plans, learning software or student records. Law-enforcement agencies like the FBI, however, generally

discourage hacked organizations from paying ransoms, though they acknowledge in some cases, it may be in the organization’s best financial interest. Frequently, though, ransom demands are relatively small (for the hackers the amounts quickly add up), making it more likely that the targeted organization will pay and small sums tend to draw less attention and resources from law enforcement.

But regardless of whether a district decides to pay the ransom, the FBI want to hear from all ransomware victims to gather evidence. Cybercrimes should be reported to the FBI’s local field office or on its website: www.ic3.gov. In some cases, the FBI or private industry has already found a key or “antidote” to a ransomware strain and by reporting the attack, a district may be able to easily recover their files.

The best defense, experts agree, is to have strong backups in place and have outside professionals reset the system and so a full incident report if a district network is compromised.

The malware that targets school districts makes no distinction between small and large districts. And like other cybercrimes, ransomware attacks can be difficult to trace as they often originate overseas, sometimes in countries that do not have extradition treaties with the US.

A recent cybersecurity report

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Foundation Budget Formula Revamp Likely to Move Forward

Senate Education Committee Chair Sonia Chang-Diaz has announced that she plans to file a bill this month that would take up the recommendations of the Foundation Budget Review Commission. The Commission’s report, which was released in October 2015, revealed that under the current formula which has not been updated in over two decades, MA public schools are underfunded by \$1 billion to \$2 billion.

In the last session, the Senate twice passed legislation containing the Commission’s recommendations, but the legislation was not implemented.

Chang-Diaz believes that the current climate is more favorable to moving the funding proposals forward now that the Question 2/Charter School cap issue no longer dominate educational policy discussions and the legislature can focus on options for closing opportunity gaps.

The new bill, she indicated, would implement nearly all the FBRC recommendations, including using a more accurate method to calculate employee health care costs and increasing funding allotments for the education of English language learners, special education students and low-income students.

The prognosis is optimistic, since the Senate has already twice passed recommendations and Senate President Stan Rosenberg recently pledged to examine shortfalls in the state’s mechanism for budgeting school aid and make reforms, though he provided no specifics on the nature or shape of those reforms. ♦

Supreme Court to decide: What level of education do public schools legally owe to students with disabilities?

On January 18, two days before the new President is inaugurated, the U.S. Supreme Court is scheduled to hear arguments in a dispute over the level of education that public schools must provide to millions of children with disabilities, a case that advocates describe as the most significant special-education issue to reach the high court in three decades.

The question is whether public schools owe disabled children “some” educational benefit—which courts have determined to mean just-above-trivial progress—or whether students legally deserve something more: a substantial, “meaningful” benefit.

Lower courts are divided on the question, meaning that disabled children in some states can expect more from their schools than children in other states. Now the Supreme Court will have an opportunity to decide whether a uniform standard should apply nationally.

To advocates for children with disabilities, this should not be a difficult decision. Although the Supreme Court upheld the lower standard in 1982, Congress has since amended the federal Individuals With Disabilities Education Act (IDEA). The law—which outlines what states must do in return for receiving federal special-education funds—is meant not just to open the schoolhouse door to disabled children, they argue, but also to make sure that those children get an education that gives them a shot at equal opportunity, independent life and full participation in society.

But lawyers for Colorado’s Douglas County School District—the defendant in the case before the court—argue that the “meaningful” benefit standard is ambiguous, not grounded in law and not practical. The case, *Endrew F. v. Douglas County School District*, was brought by the family of a boy diagnosed with autism and attention-deficit/hyperactivity disorder. His conditions complicated his efforts to communicate and socialize, and that left him strug-

gling with phobias and compulsive behaviors.

Endrew F., who goes by Drew, started attending schools in Douglas County—south of Denver—in preschool and began showing an increase in behavioral problems in the second grade, according to court records. He was yelling, crying and dropping to the floor. By fourth grade, the problems had become more frequent and severe; he was kicking walls, banging his head and bolting from the classroom, escaping from the school building and running into the street.

His parents said their son made almost no academic or social progress over that period, and they didn’t see a commitment from the district to find a solution. The goals in his IEP hardly changed from year to year, according to court records, and there was little written evidence that he was making gains.

Drew’s parents withdrew him from public school at the end of fourth grade, in 2010, and placed him in a private school that specialized in educating children with autism. He made progress immediately, they said, achieving IEP goals in months that he had been working on for years.

Drew, now 17, continues to attend the private school, his parents said, where he is learning vocational skills and preparing for life after high school.

Under federal law, Drew’s parents were entitled to seek reimbursement for the private school tuition, which approached \$70,000 per year. But they had to prove that their son had been denied the “free appropriate public education” to which he had a right under federal special-education law. And to do so, they had to prove that he hadn’t been making adequate progress.

But the Douglas County School District disagreed, arguing that while Drew was not learning as quickly as

his parents would have liked, he was making some progress — enough to satisfy the law.

The family lost its case before an administrative law judge in 2012. They lost again in a suit in U.S. District Court and a third time at the U.S. Court of Appeals for the 10th Circuit which ruled that although Drew was thriving at the private school. “it is not the District’s burden to pay for his placement there when Drew was making some progress under its tutelage. That is all that is required.”

In their briefs to the Supreme Court, Drew and his family argued that schools should be obligated to provide children with disabilities with “substantially equal opportunities to achieve academic success, attain self-sufficiency and contribute to society.” They won the support of the Obama administration, whose Justice Department submitted an amicus brief calling on the high court to find a requirement that children have an opportunity to make “significant educational progress.”

More than 100 members of Congress also support Drew and his parents, arguing in an amicus brief that the just-above-trivial standard is “vanishingly low” and runs contrary to Congress’s intent in IDEA.

The Douglas County School District disagrees, arguing that the Supreme Court’s decision in a 1982 case, *Board of Education v. Rowley*, should stand. In that case, the court rejected the argument that schools owed disabled children an opportunity to maximize their potential. The justices ruled that Congress intended to ensure “some educational benefit” for children with disabilities, the standard that has been explicitly adopted by five Circuit Courts of Appeals.

The district’s supporters include the National School Boards Association and AASA, which both argued that raising expectations of schools could encourage more litigation.

The outcome of this case could have significant implications for school districts across the country. MASC will keep members posted. ♦

Ransomware Attacks on Rise

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found that educational institutions and companies had the highest rate of ransomware infection. Small technology budgets, less emphasis on cybersecurity and bring-your-own-device policies in schools make it harder to establish uniform

firewalls and contribute to the challenges of protecting ed-tech infrastructure.

The good news for districts: reducing risk exposure to ransomware attacks is relatively straightforward (see box below on this page). ♦

DEFENSIVE MEASURES

School districts can take a number of steps to avoid ransomware attacks on their computer systems, including:

- Back up everything, and make sure safeguards are in place so malware cannot easily jump to infect backup systems.
- Make sure network users scrutinize incoming email and report rather than open strange attachments from unsolicited addresses.
- Download software only from secure and trusted sources. Never pirate software from illegal or questionable peer-to-peer websites.
- Have strong access controls. Student accounts shouldn't have administrative privileges. Internal restrictions on access can prevent a bug from spreading.
- Make sure system updates, including anti-virus software, are installed regularly.
- Change passwords regularly, and train staff members in best cyber-practices.
- Test your own defenses. Hire a vendor to try to hack the system to find vulnerabilities and address them.
- Have an incident-response plan ready in case something goes wrong.

Sources: FBI and BitSight Technologies, as reported in *Education Week*, January 11, 2017

Legislators Approve School Defibrillator Bill

On January 3, MA legislators passed a bill that requires every MA school to have automated external defibrillators on site by July, 2018. The original version of the bill was filed by Sen. Mark Montigny of New Bedford.

Automated external defibrillators (AEDs) are medical devices that analyze heart rhythms and can deliver electrical shocks that can help the heart reestablish an effective rhythm during sudden cardiac arrest, according to the American Red Cross.

Under the bill (S.2449), each school will also need to have a person on staff who is trained as an AED provider, and school administrators will need to ensure that an AED and provider are "readily available at any school-sponsored athletic event."

The bill also calls on state education officials to make available "a list of grants and other funding sources that a public school may access to facilitate the purchase of AEDs."

In an interview after the bill was passed, Sen. Montigny noted that schools and districts that cannot afford the devices on their own should have no trouble raising or finding the funds from outside sources.



Tuesday, April 25, 2017

8:30-11:00am

Followed by meetings with your legislator.

Note new location for this year:
Grand Lodge of Masons
186 Tremont St, Boston 02111
(across the Common from the State House)

Detailed program information coming soon.

Forum: Implementation of the Foundation Budget Review Commission Recommendations

Please join with MASC Divisions IV, V, VI, VIII, IX and the Minority Caucus as we work to get the recommendations of the Foundation Budget Review Commission implemented. This is open to all School Committee Members, Superintendents, School Business Managers, Mayors, and other elected and appointed officials.

Although many of us have listened to the rationale before, now is the time, to take deliberate action. The FBRC report is definitive on the point that local taxpayers are carrying a disproportionate share of the cost of educating children in MA. Local officials can testify to the ways it is fracturing their ability to provide the essential services that all residents depend upon. State officials can demonstrate how deliberate tax cuts, along with the growth of their Medicaid responsibilities, leave them with difficult budget decisions. Yet the fact remains, the funding of an excellent public education system needs to remain a vital priority in every city and town across the state and the local taxpayers need help. As the legislature begins debate on the FY18 budget, we believe there needs to be a plan to address this priority.

We urge members to begin this dialogue locally and to communicate your concerns to your State Representative and Senator. Then, attend the February 16th meeting as a team or as their representative and delve into the issue. We need you to join us as we plan our next steps. All interested parties are invited to participate.

Date: Thursday, February 16, 2017

Time: 5:00pm: Check-in (hors d'oeuvres and cash bar available)

Program: 5:30pm - 7:00pm

Location: The Delaney House, 1 Country Club Road, Holyoke, MA 01040

UPCOMING EVENTS

Friday, February 3

Cape Cod Collaborative: Annual Legislative Breakfast

9:30am-11:30am

Cape Cod Collaborative, Osterville

Thursday, February 16

MASC Division Forum: Update on FBRC Recommendations

(see above for details)

Friday, February 24

COSCAP Spring Conference

9:00am-3:00pm

Jr./ Sr. High School, Westport

national NEWS

STATE(S) OF HEAD START

In response to feedback from the field, Head Start education sites look uniform on paper, but dig beneath the surface and there are substantial variations from state to state in program quality, percentage of eligible children enrolled and teacher salaries.

Those are the findings of an analysis of the \$8.9 billion federal program from the National Institute for Early Education Research at Rutgers University. It found, for example, that 73% of Head Start teachers overall had a bachelor's degree in early-childhood education or a related field. But that ranged from more than 90% with that qualification in West Virginia and the District of Columbia to a low of 36% in New Mexico. (In MA, 62% of Head Start teachers have a BA or higher.)

Similarly, while Head Start teachers in DC are paid on par with the city's elementary teachers, there was a \$46,000 average wage gap for Head Start teachers in MA. In the category of percentage of students in school day/5-day/week programs, the Commonwealth (27%) also fell below the national average of 44%.

Access the full report: <http://nieer.org/headstart#profiles>

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