



Written by [Bob Adelman](#) on September 10, 2014

## Truancy Laws Snag 13-year-old Piano Prodigy

It took just one day for the chancellor of the District of Columbia Public Schools (DCPS) to respond to Petula Dvorak's column in the *Washington Post* on Monday. Chancellor Kaya Henderson issued a public statement condemning Dvorak's column for inaccuracies and claiming instead that she was working with Avery Gagliano's parents to avoid charging the 13-year-old piano prodigy with truancy.



Gagliano was one of just 12 musicians selected from around the world to play at a prestigious event in Munich last year, and in the process, she violated the district's "10 absences and you're a truant" rule, which triggered a series of calls and letters threatening action and possibly punishment by the district's "attendance specialist," Jemea Goso, an officer with the district's Office of Youth Engagement. Wrote Goso: "As I shared during our phone conversation this morning, DCPS is unable to excuse Avery's absences due to her piano travels, performances and rehearsals."

With the district ramping up pressure on Gagliano's parents, Drew Gagliano and Ying Lam in turn created a portfolio of her musical achievements and academic record (she is an A student) for the school and even drafted an independent study plan for the days that she would miss while on her world tour. It didn't matter, according to Dvorak:

But the school officials wouldn't budge, even though the truancy law gives them the option to decide what an unexcused absence is. The law states that an excused absence can be "an emergency or other circumstances approved by an educational institution."

Too bad, so sad. After 10 unexcused absences, it doesn't matter whether a child was playing hooky to hang at the mall or charming audiences in Hong Kong with her mastery of Mozart. DC bureaucrats will label the kid a truant, will mar her transcript with that assessment and will assign a truancy officer to the case.

In response, Gagliano's parents decided to remove her from Alice Deal Middle School and start homeschooling her. Said her father:

We decided to homeschool her because of all the issues, because it was like a punch in the gut to have to face the fight again this year.

We didn't want to do this. We want her to be part of the public school system. Avery has been in public schools since kindergarten. She's a great success story for the schools.

All of this was just too much for Chancellor Henderson, who issued a statement accusing Dvorak of writing an article that was inaccurate and misleading:

The recent *Washington Post* column by Petula Dvorak ... is inaccurate and misleading in its portrayal of the District of Columbia Public Schools' truancy protocols, as well as what happened with the family and DCPS.

We are disappointed Ms. Dvorak chose to present a false representation of DCPS' response about



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this child's circumstances rather than taking the time to collect the relevant facts.

Dvorak looked over Henderson's statement, reviewed it with Avery's mother, and declared: "Avery's mom, Ying Lam, stands by her account. And I stand by mine."

Henderson, subsequently, tried to reach Lam by phone, and she left a message saying that she would now like to find solutions "to work with" the family. Wondered Lam: "Where were they before?"

Not surprisingly, once Dvorak's article hit the news, there was a torrent of calls and letters from a number of private schools offering to pay part or all of the tuition needed to educate Avery. One of them came from Gary North, the director of curriculum development for the Ron Paul Curriculum. Wrote North:

As soon as I read that story, I knew exactly what to do. I went to the online white pages, looked up her father's name, got the family address, and sent a letter to the father telling him that his daughter had just received a full scholarship to the Ron Paul Curriculum.

I set up a new account. I gave her a password. I gave her an ID. She is ready to start the program. No muss, no fuss.

My decision was based on my inherent dislike for truant officers. Here is a spectacularly gifted young woman, who is getting straight A's in school, and she gets a visit from a truant officer?

This is one of those cases that illustrates what I have called North's prime law of bureaucracy: *there is no official rule which some bureaucrat will not eventually enforce to the point of imbecility.*

According to Ron Paul himself, Avery Gagliano is likely to be much better off being educated outside of Alice Deal Middle School, whether she continues to be homeschooled, as her parents are doing now, or she goes to a private school or takes advantage of North's offer. Wrote Paul:

It makes sense that children do better when their education is controlled by those who know their unique needs best, rather than by a federal bureaucrat....

When the government interferes with the parents' ability to choose the type of education that is best for their child it is acting immorally and in a manner inconsistent with a free society.

Whether Avery Gagliano will continue to be homeschooled or transfer to a private school or succumb to the invitation by Chancellor Henderson to forgive and forget and rejoin her classmates at Alice Deal Middle School remains an open question. What is clear, however, is that her brush with truancy law designed to keep the kids in school has gotten national attention. Her story might be just enough to move others in similar circumstances to remove their kids from the clutches of public education and take advantage of the other options the free market continues to provide.

In any event, North considers the incident a victory:

When you read stories like this, you know we are winning. It's just a matter of time. Anybody this stupid who has been placed in charge of educating the nation's children will ultimately produce a system so abominably bad that even a typical American parent will finally pull his children out.

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