

Complaint filed against Bridgeport Public Schools Alleges failures for students with disabilities

By Bridgeport News Staff - October 28, 2013

The Center for Children's Advocacy has filed a Complaint with the state Department of Education on behalf of the parents of six Bridgeport children whose disabilities have gone unidentified and unevaluated by Bridgeport schools for years, resulting in a lack of educational support services and prolonged, unaddressed academic failure.

The action comes after months of meetings between attorneys from the Center for Children's Advocacy and Bridgeport school officials.

"The Bridgeport School System's lack of positive movement on this issue left us with no option other than the filing of this Complaint to help students who continue to fall behind," said Kathryn Meyer, attorney with the Center for Children's Advocacy. "Without a change, they have little hope of getting the special education services they are entitled to by law."

Filed on behalf of six families, Center for Children's Advocacy attorneys said the complaint actually represents a much larger group of Bridgeport students who have not been evaluated for eligibility for support services that can help with academic achievement and keep them on track to graduate from high school.

Center for Children's Advocacy Attorney Edwin Colon said the Bridgeport school system "has shown a pervasive practice of failing to identify children whose academic and social failures clearly indicate potential disabilities."

The school system's failures violate the federal Individuals with Disabilities in Education Act (IDEA) and the 1973 Rehabilitation Act, and violate corresponding state law and regulations.

The Center for Children's Advocacy has provided legal representation for Bridgeport students since 2007 and currently represents children and youth from the school district whose complex disabilities continue to cause academic struggles.

Early identification, evaluation and support services for children who are struggling with educational and behavioral issues are critical to a child's future success. Children represented by attorneys from the Center include Eduardo (name has been changed for privacy), whose school records clearly show that he struggled academically since first grade. He failed and repeated sixth grade, and because of his age, was advanced to high school last year, where he failed every subject.

"In spite of these very serious red flags, Bridgeport schools never held a meeting to discuss Eduardo's suspected educational or emotional disabilities or potential support services that might help him academically," Colon said.

Jonathan (name has been changed for privacy) is another child represented by the center's complaint. Jonathan transferred into Bridgeport schools when his family moved to Connecticut from Florida. In Florida, Jonathan's

education had followed a specific plan (individual education plan or IEP) in a structured, therapeutic classroom appropriate for a student with an intellectual disability (IQ of 46).

Jonathan was quickly left behind when Bridgeport schools placed him in a regular classroom, despite his mother's protest and against the recommended IEP. Jonathan essentially lost an entire year of instruction until the Center for Children's Advocacy was able to secure Bridgeport's cooperation and appropriate class placement.

The Center for Children's Advocacy complaint lists Bridgeport schools' specific, systemic violations:

- Failure to ensure students' prompt referral to a planning and placement team (PPT) as mandated by state law for students with suspected disabilities or unsatisfactory academic progress.
- Failure to accept and process a referral received from a student's parent or guardian to determine the student's eligibility for special education or related services.
- Failure to implement IEPs within an appropriate time frame (as mandated by state law).

The state Department of Education has 60 days to complete an independent on-site investigation (if they determine this is necessary to address the complaint) and issue a written decision that responds to each allegation. The department will decide whether Bridgeport Public Schools must take corrective action to remedy widespread concerns about the education of children who suffer from disabilities.

<http://www.thebridgeportnews.com/6830/complaint-filed-against-bridgeport-public-schools/>