

Complaint says Bridgeport's special education problems persist

By: JACQUELINE RABE THOMAS | August 7, 2015

Nineteen months after state investigators determined that the state's largest school district "systemically violated" state and federal laws created to ensure the needs of special education students are promptly met, the attorneys for eight Bridgeport students complained to the state that the problems fester.

The attorneys point to the stories of eight of their clients in a formal complaint to the State Department of Education. In one example, the mother of a 6-year-old student with autism showed up unannounced at Jettie S. Tisdale School after her son continued to come home from school hungry and in the same diaper he left for school in and she couldn't get anyone to return her calls.

She found her son on top of his desk, rocking back and forth and hitting himself. When she asked to speak to the special education teacher, the complaint alleges, the lone paraprofessional in the class informed the mother that the teacher was not available.

In another example, the special education plan for a 14-year-old student at Dunbar School, which requires a small, therapeutic class environment, has not been followed. Awaiting placement, this student has been suspended multiple times for behavior the complaint alleges is related to his disability.

"A pattern of systemic failure continues to adversely impact students with disabilities in Bridgeport," states the complaint, filed Thursday by attorneys at the Center for Children's Advocacy.

Bridgeport's interim superintendent said she believes her district has improved the services provided to disabled students, and the complaint took her off guard. "It certainly was a shock. I take it very seriously. We will be addressing it immediately," said Frances Rabinowitz during an interview. "We will work with the state on this and remedy each and every case that needs remedying."

Some things should be a quick fix, such as ensuring every class has a teacher present, she said. But other fixes may be expensive, like integrating more disabled students into classrooms with their peers while providing them added assistance. "We are not perfect by any means, and we don't have the resources that I would like to have," said Rabinowitz.

It's unclear how long it will take the state to investigate the complaint. Kelly Donnelly, chief of staff to the state education commissioner, said investigations typically take a few months and involve a review of policies, training materials, and student files. "It's important to get a comprehensive sense of the special ed system and policies in the district," she said.

This will be the second time in two years the department has investigated services available in Bridgeport for the nearly 3,000 students identified as having special education needs. In the first review, investigators found that more than half the children whose records were audited were not getting the services their special education plans required. One out of every five students identified as having a disability did not have a special education plan.

"It is concluded that, over the last year, the Bridgeport Public Schools systemically violated its Child Find mandate," Mary Jean Schierberl, with the state Department of Education's Bureau of Special Education, wrote the district's special education director in January 2014. "Corrective action is required." The department letter included a corrective action plan for the district to follow.

The education department's Donnelly said the state retains the option to take more strict action against the district if it is still found not in compliance with state and federal laws. No federal complaint was filed because the law delegates enforcement of the federal law to the state.

"We issued corrective action and followup to ensure that it has been met," said Donnelly. "General speaking, it can escalate. But without the details of this particular occurrence, it's hard to say." Rabinowitz said that her district has improved significantly since the first complaint was filed two years ago. "This complaint makes it sound as if we haven't done anything. That is disheartening because we have," she said. "We have shown progress."