

Complaint: Hartford Schools Fail To Give Basic Education To Expelled Students With Special Needs

By Vanessa de la Torre

March 17, 2016

HARTFORD — Special education students who are expelled from Hartford public schools and land in the district's alternative program get such a poor education that it violates federal and state law, legal advocates say. In a complaint filed with the state Department of Education this month, lawyers with Greater Hartford Legal Aid and the Center for Children's Advocacy argue that the school system has "completely failed" the students with disabilities who end up at New Visions.

The advocates blame top city school officials who structured New Visions into a small-staffed program with a "dysfunctional" operating model that they say has resulted in little accountability, scant monitoring of students' progress and erratic classwork that seems all for naught.

The complaint described one high school student's recent year at New Visions, where he got no grades, credits or required reports on his progress, as "a complete waste of everyone's time and energy, because he gained nothing."

"We are in receipt of the complaint and will be investigating it through the appropriate process under IDEA," said state education spokeswoman Abbe Smith, referring to the federal Individuals with Disabilities Education Act.

Asked about the allegations, a city schools spokesman said Thursday afternoon that the district was "not in a position to comment at this point."

At the heart of the complaint are "Hartford's neediest, most challenged kids," Marisa Halm, an attorney with the Center for Children's Advocacy, said in a statement.

Among the estimated 53 students enrolled in New Visions last fall — middle-school and high-school aged students — advocates said that as many as a quarter to one-third might qualify for special education services. They include students with serious trauma histories and with documented or observed signs of having learning disabilities and emotional and behavioral disorders.

"Students with disabilities who are expelled are at extremely high risk for dropping out of school, and need thoughtful, enhanced levels of support to complete school and graduate," the complaint states.

Hartford's 2014 program description of New Visions says that its main goal is ensuring that expelled students are "well prepared to return to their home school, graduate from high school, and are ready for college."

The reality, attorney Lynn Cochrane of Greater Hartford Legal Aid said, is that the most vulnerable students get minimal instruction at New Visions, the district's de facto program for students during their expulsion. Students attend a morning or afternoon session, each one lasting less than three hours a day in a building next to Bulkeley High School on Wethersfield Avenue.

A major flaw of the program, advocates argue, is that the school that expelled the student is responsible for creating individual lesson plans and delivering schoolwork to New Visions. That school must also pick up the student's completed work and grade it every week. The same school, not New Visions, is expected to produce report cards and progress reports.

Sometimes, the home school does not send classwork for weeks at a time, the complaint said. And when a student is given assignments, it's often through an independent online course.

"Students with learning disabilities, attentional issues and a history of school failures will find a steady diet of online work particularly disengaging and difficult to benefit from," the complaint states. "... The New Visions staff admit that many stu-

dents dislike the online programs."

Because the home schools typically don't share the students' corrected work with New Visions, it's harder for the program's few teachers — the district has about eight employees there this school year, including a guidance counselor and school social worker — to help a special education student who is struggling academically, advocates said.

"My clients never got a report card and never got a progress report on their special education goals," Cochrane said Thursday. "Those are clearly required by law, and they're not getting them. ... It's a crazy setup."

Hartford has also had problems keeping a certified special education teacher on staff at New Visions, she said. Advocates also criticized what they described as a lack of intensive help for students with behavioral issues.

In addition, the complaint alleges that Hartford has "unilaterally" placed expelled students with special needs in New Visions without involving their parents or following legal protocols designed to protect those students' educational rights.

Advocates stressed that they found the New Visions staff and certain special education directors from the district "to be caring and hard-working," they wrote in the complaint. "There is no doubt they are doing the best they can within an under-resourced, dysfunctional, ill-conceived program."

"We really feel it's the design and the resources," Cochrane said. "And it's really the lack of commitment from the district to provide even a decent education to expelled students, and this has been going on for years."

The complaint, among other demands, asks the state to investigate New Visions and hire an independent monitor to oversee the program for two school years.

In December, the Center for Children's Advocacy, arguing that expelled students are given an inferior education during their expulsion, brought a suit against the state that also named the Hartford, Manchester and Bloomfield school systems as defendants. That suit, which has been moved to federal court, singled out New Visions and told the story of a Hartford seventh-grader who was sent to the alternative program in 2014 after getting into a fight at SAND School when she was in sixth grade.

The student, identified as Alicia B., "came to believe there was no point to the education she was receiving at New Visions and that her education was completely meaningless," the suit stated.