

October 28, 2020

Dr. Miguel Cardona  
Commissioner of Education  
450 Columbus Boulevard  
Hartford, Connecticut 06103

(By Email to miguel.cardona@ct.gov and First Class Mail)

Re: Complaint under CGS §10-4b

Dear Commissioner:

We, the undersigned are residents, taxpayers, and parents of children with special needs in Greenwich, Connecticut. After a year of effort at resolving matters directly with Greenwich Public Schools, the Greenwich Board of Education, and the Greenwich Board of Estimate and Taxation, we find it necessary to bring a complaint under Connecticut General Statutes §10-4b alleging that Greenwich has failed to implement the educational interest of the State of Connecticut as defined in Connecticut General Statutes §10-4a. Our children are being deprived of the opportunity to receive a suitable program of educational experiences. Moreover, the mandates of the general statutes pertaining to education, particularly those related to special education, are not being implemented.

Tragically, there is nothing new about the dreadful state of special education in Greenwich. Every few years, the town commissions another study of special education. The recommendations of the consultants are ignored. And, the cycle continues. Attachment A.

On September 22, 2020, Greenwich Education Association President Carol Sutton sent a letter to Superintendent Dr. Toni Jones complaining that teachers were being forced to lie to parents. Attachment B. In this letter Ms. Sutton states, "Our unit members have been directed to meet with families and persuade the parents to modify their children's IEPs outside of the legally mandated processes for amending service plans. As you are no doubt aware, this is a clear violation of the IDEA and the process for developing IEPs for students. We request that this cease immediately." Ms. Sutton also requests that teachers' caseloads be adjusted as they would not be able to provide the mandated services hours within the contractually mandated workday.

Previously, on September 21, 2020, Ms. Sutton had sent a letter to the Board of Education members stating concerns regarding staffing. She wrote "at GHS, Academic Lab Teachers have caseloads of 35!" Ms. Sutton also voices the need for more substitute teachers and paraprofessionals. Attachment C.

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Conforming to the requirements of Reg. Conn. State Agen. 10-4b-3(c), we provide the following information:

*(1) Information indicating that the complainant is an eligible person;*

Each of us is over 18 years of age. Each of us is a full-time resident of Greenwich, Connecticut. Each of us is the parent of a student enrolled in the public schools of Greenwich, Connecticut. More specifically,

Jennifer Kutai lives at 414 South Beach Avenue, Old Greenwich, Connecticut 06870. She is the parent of 3 children: Lily, born on February 7, 2009, and Ellie & Hannah Kutai born on February 8, 2011.

Audra O'Donovan lives at 25 Perna Lane, Riverside, Connecticut 06878. She is the parent of 3 children: Colm, born on March 11, 2007, Niamh, born on January 26, 2009, and Rory, born on June 26, 2012.

Caroline Lerum lives at 11 Butler Street, Cos Cob, Connecticut 06807. She is the parent of 3 children: Benjamin born on July 10, 2013 and Michael born on August 17, 2015, and Catherine born on January 14, 2019.

The three named complainants are the founders of the Greenwich Special Education Advisory Council (SEAC). This is the fourth SEAC in the State of Connecticut. Ms. Lerum and Ms. O'Donovan have been the Chairs of the Special Education Support Committee under the Greenwich Parent Teacher Association Council. Ms. Kutai, Ms. Lerum and Ms. O'Donovan have also formed a support group for special education families. They have participated in studies for the district and have organized protests and petitions in support of adequate funding for special education. Attachment D.

The three named complainants are speaking on behalf of many other Greenwich families who fear retaliation if they come forward as complainants. There is a well-documented history of retaliation by the administration of Greenwich Public Schools. See, for example, State Complaint No. 20-0064 and Attachment E.

*(2) A description of prior good faith efforts to resolve the complaint with the board of education, which shall include information that shows that the board of education has taken final action adverse to the complaint or has refused or failed to take any final action relating to the complaint within a reasonable period of time;*

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The complainants have attended and testified at numerous meetings of the Greenwich Board of Education (BOE) and of the Greenwich Board of Estimate and Taxation (BET). They have had extended correspondence with Superintendent of Schools Dr. Toni Jones as well as Chief Pupil Personnel Services Officer Mary Forde raising these issues.

**June 13, 2019**, Special Education Parents spoke publicly at the Greenwich Connecticut Board of Education Meeting to voice a variety of systemic concerns affecting their children throughout Greenwich Public Schools.  
<https://drive.google.com/file/d/1jUonyKfU0tKMSzDonaWcoropxKQA11rt/view>.

**July 11, 2019** Special Education Parents arrange a private meeting with Greenwich Public Schools Superintendent, Dr. Toni Jones. Parents voice concerns for the larger group of over 1,000 special education families in the District. Parents provided a vast amount of information over a broad range of concerns. Dr. Jones took copious notes and stated she would follow up.

Large groups of Special Education parents continue to attend and speak up at all Board of Education Meetings on the following dates: July 8, 2019, July 25, 2019, August 30, 2019, September 12, 2019, September 19, 2019, October 17, 2019, November 7, 2019, November 13, 2019, November 21, 2019, December 5, 2019, December 19, 2019, January 16, 2020, February 20, 2020, March 26, 2020.

**November 5, 2019**: Four parents agree to participate in a “Devising Seminar” implemented by Key2Ed. Though five parents participated, Greenwich Public Schools had eleven District administrators as participants. Attachment F.

**December 3, 2019**: Dr. Jones meets with over 100 Special Education Families for a Q & A at First Church in Old Greenwich, CT. The meeting was approximately 3.5 hours long. Parents raised a wide range of concerns about systemic issues plaguing the district and their children.

**January 23, 2020**: Special Education Parents speak at the Board of Estimate and Taxation Meeting. [https://drive.google.com/file/d/1Vp0X08R45JrgI1R1pRif3F17bGqgv0Ju/view?usp=drive\\_web](https://drive.google.com/file/d/1Vp0X08R45JrgI1R1pRif3F17bGqgv0Ju/view?usp=drive_web). Also, Attachment G.

**February 20, 2020**: Carol Sutton, the President of the GEA, and three teachers speak as representatives for the GEA at the Board of Education meeting.  
<https://drive.google.com/file/d/1jUonyKfU0tKMSzDonaWcoropxKQA11rt/view>.

**April 21, 2020:** Parents speak (virtually) at the Board of Estimation and Taxation Public Hearing. [https://drive.google.com/file/d/1Vp0X08R45JrgI1R1pRif3FI7bGqgv0Ju/view?usp=drive\\_web](https://drive.google.com/file/d/1Vp0X08R45JrgI1R1pRif3FI7bGqgv0Ju/view?usp=drive_web). Also, Attachments G and H.

**April 25, 2020:** Parents loudly protest Board of Estimate and Taxation cuts to Special Education Budget. Attachment D.

**April 25, 2020:** Parents obtain 2,965 signatures to petition The BET for additional funding. Attachment D.

**September 2020** (shortly after the school year commenced): The PPS Department issues a permission form that is in violation to State guidelines. Parents, advocates and attorneys email the CT State Department of Education their concerns regarding the permission form. Attachment I.

**September 17, 2020:** Special Education Support Committee Co-Chair, Caroline Lerum speaks in front of the Board of Education at their monthly business meeting. Ms. Lerum addresses parent special education concerns of remote learning, remote staffing, the remote permission form and communication. Attachment J.

*(3) The exact nature of the allegations, including, but not limited to, reference to the provisions of Section 10-4a of the General Statutes as amended by Section 10 of P.A. 79-128 which relate to each such allegation, and to other specific statutory provisions where the complainant alleges that a board of education has failed to comply with Subdivision (3) of Section 10-4a of the General Statutes as amended;*

1. Greenwich Public Schools is not providing federally mandated services as outlined in students' Individualized Education Plans.
2. Greenwich Public Schools do not provide the least restrictive environment for Special Education students. By the time students reach middle school, they are placed on an inferior educational track where, in most instances, they remain until they graduate high school. These students are segregated from mainstream students without parental knowledge. The material they learn across most subject matters is substantially different than that of their mainstream peers. Page 3-4 of Attachment K.
3. It is important to note, Greenwich Public Schools has a long history of having reviews and audits of Special Education practices performed by outside agencies. They date back as far as 1997.
  - Gold Report-1997
  - MGT- Comprehensive Review-2005
  - Oswego Report-2010



- Theresa DeFrancis Report 2014
- 2016 Document Summary/Purpose and/or Recommended Action: PowerPoint presentation provided by Theresa DeFrancis and Andreana Bellach
- 2019-2020 – Key2Ed Task Force Devising Seminar

Today, many of the same issues remain and have grown worse.

*(4) A clear and concise description of the facts which support each allegation; and*

### **KEY2ED TASK FORCE DEVISING SEMINAR**

Key2Ed managed a Task Force and issued a draft report based on interviews with 62 parents and 37 staff members. Attachment F. All of these interviews took place prior to COVID-19 school closure. Key2Ed partners conducted interviews with 99 participants (62 parents, 37 staff members). A draft report of their findings was circulated to the task force, detailing devastating feedback from parents, staff and administrators. To date, nothing from this draft report has been addressed by the district. Below is an outline of the major concerns and findings from this devising seminar.

- Communication- parents and teachers felt there was a lack of communication, unclear & incomplete communication.
- Parents reported District level administrators do not wish to work with them. Parents said District level staff want to stymie allocation of services to students and that teachers would serve students better, but their efforts are being squashed by District Level Staff.
- Parents allege the District special education administration has engaged in criminal behavior. Parents report they were forced to sign non-disclosure agreements, so that others would not find out about these criminal behaviors on the part of District personnel.
- Many staff feel that they are unable to speak freely in PPT meetings. They expressed concern that if they share something that the superiors might disagree with, they feared retribution.
- At the high school level, teachers simply ignored the requirements in their child's 504 plan or IEP, and as a result the students' grades were affected, which ultimately affected the students' admission to college.
- Staff reports caseloads are overloaded, so much so, that staff feels they are unable to meet the legal requirements of the IEP's.

- Teachers and Parents reported special education students at the high school level are leveled into only certain set of lower level academic classes and that these classes are overloaded with students who have IEP's. One parent referred to this practice as making "special ed ghetto classes."

## **GREENWICH PUBLIC SCHOOLS STAFF AND GEA PRESIDENT REPORTS AT FEBRUARY 2020 BOE MEETING**

### **CAROL SUTTON, Remarks to Board of Education, 2/20/20**

- Carol Sutton states the following: "Is Greenwich providing the Federal IDEA services to students with disabilities that are compliant with requirements, effective in meeting the requirements, efficient in the delivery of services and sufficient quality to meet the needs of each individual student? The packet put forward before you supports and puts out a resounding, yes. Yet when teachers speak freely, the picture is drastically different."
- One teacher said, "We have outstanding special education teachers, but we are understaffed."
- The Special Education Department is "understaffed" and "stretched thin". "The impact of this is felt by every student and every teacher in every classroom in this district."
- "The number of children receiving Special Education Services in the last 5 years has gone up by 200. Yet only two additional teachers and 3.3 instructional aides have been added to the head count. This cannot add up to compliant, effective and efficient delivery of services."

### **DR. BARBARA FRIEDMAN, GHS TEACHER, Remarks to Board of Education, 2/20/20**

- Dr. Barbara Friedman, Greenwich High School Teacher states the following: "Over 1000 hours of mandated service hours were not and are not provided because Special Education Teachers are stretched too thin."
- One teacher reported, "the specific accommodation required on my caseload were impossible to implement in any given week. There are not enough hours in the day. Quite simply, this District fails to provide mandated service hours to our students."
- "Finally, most shocking, my colleagues are afraid to speak up on these issues in every school faculty and staff reported they are either explicitly or implicitly discouraged from speaking up. They are afraid that the administration will somehow retaliate against them for speaking the truth and standing up for their students."
- "The number of underserved students has grown exponentially."

**ANDREA ABBOTT, FOURTH GRADE NSS TEACHER, , Remarks to Board of Education, 2/20/20**

- “Secondary schools are suffering with inclusion because of the District’s tracking practices. Students with learning differences and behavior problems end up in classes together.”
- “There are obstacles preventing us from reaching every single student.”
- “The needs of the secondary students are not consistently met.”
- “The GHS education and wellness center opened with fanfare this Fall, without sufficient staffing to provide classes to its students.”
- “One educator shared how all 25 students in her class have learning differences, which is the antithesis of inclusion. There is only one paraprofessional in this class, and she is there to support one specific student.”
- “There are not enough Special Education teachers at GHS to ensure that our students will accel in this learning environment.”
- “Insufficient Staffing to provide mandated services.”
- “The loss of para’s and overcrowding in the academic labs along with lack of support from building administrators when dealing with student discipline.”
- “Instead of, how can I help, it’s what did you do?”
- “Secondary educators expected to do more with less. Our students deserve better.”

***(5) Other materials or documents containing information which support or clarify the allegations.***

1. Board of Education Meetings from June 2019-February 2020 -Special Education Speakers Only.  
<https://drive.google.com/file/d/1jUonyKfU0tKMSzDonaWcoropxKQAllrt/view>
2. February 18, 2020 Draft Report from Key2Ed Task Force Devising Seminar. Attachment F.
3. Cease and Desist Letter distributed to the Board of Education by Carol Sutton, the President of the GEA. Attachment B.
4. Board of Estimate & Taxation Videos  
[https://drive.google.com/file/d/1Vp0X08R45Jrg11R1pRif3FI7bGqgv0Ju/view?usp=drive\\_web](https://drive.google.com/file/d/1Vp0X08R45Jrg11R1pRif3FI7bGqgv0Ju/view?usp=drive_web)

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Simply stated, on behalf of the parents of students with special needs in Greenwich, we ask the Connecticut State Department of Education to conduct a thorough investigation, including site visits and interviews with parents and teachers, concerning the state of special education in Greenwich. The problems are rife throughout the system. Many are funding based, notwithstanding the fact that Greenwich's Grand List per student is, by far, the largest in the state, more than twice the average of DRG A school districts and three times the average of DRG B school districts. Yet, many others are rooted in the authoritarian, non-collaborative approach of the Greenwich Public Schools administration. Because the numerous consultant reports over the last twenty years have led to no systemic change, the dismissive attitude of the administration has only grown.

The result of this is that the educational interest of the students with disabilities in Greenwich has not been met by the Greenwich Public Schools. Under C.G.S. §10-4b, the State Department of Education has the duty to investigate. We pledge ourselves to work collaboratively with the Department in carrying out this mandate.

Please note that we are working with Attorney Andrew A. Feinstein on this matter. The State Department of Education is authorized to communicate with him on behalf of the complainants. He can be reached at 860-969-0700 or [afeinstein@edlawct.com](mailto:afeinstein@edlawct.com).

Sincerely yours,

Jennifer Kutai

Caroline Walker Lerum

Audra O'Donovan

Attachments

cc. Dr. Toni Jones



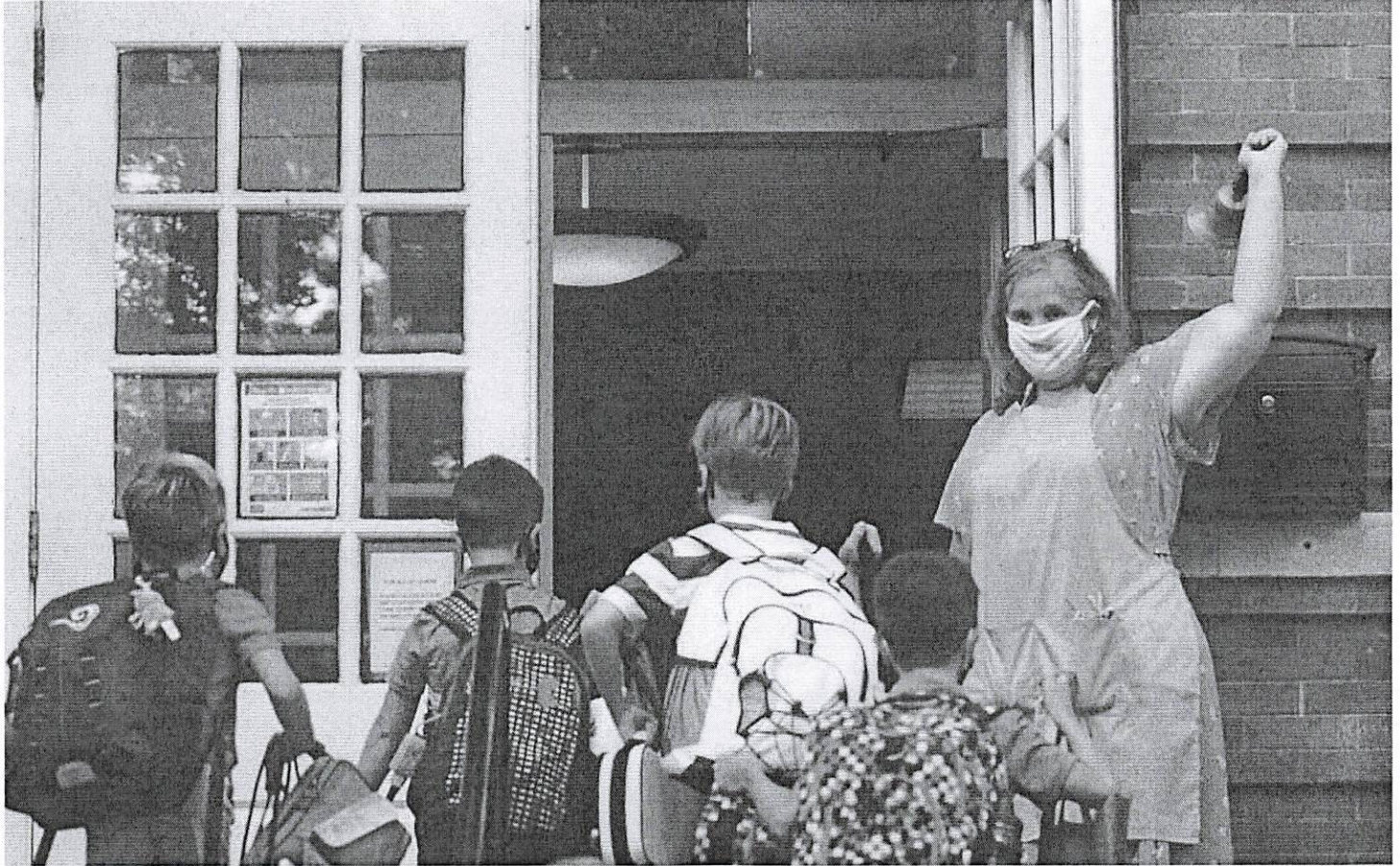
# < Attachment A 4 pages

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## Is a new day for special education on the horizon in Greenwich?

**Justin Papp**

Oct. 17, 2020 | Updated: Oct. 17, 2020 7:25 p.m.



Old Greenwich School Principal Jennifer Bencivengo rings the bell on the first day of the 2020-2021 school year at Old Greenwich School in Old Greenwich, Conn. Wednesday, Sept. 9, 2020.

Photo: File / Tyler Sizemore / Hearst Connecticut Media

GREENWICH — The names of the studies have changed, but the results have remained mostly the same as experts focus in on the delivery of special education services in the Greenwich Public Schools.

In general, they find there is a disconnect between educators and families. Special education parents feel ill-equipped in important meetings with the Planning and Placement Team (PPT) at schools, and, at worst, they feel bullied at time. Students with difficulty learning are either not identified by the school district as needing help, or once they are, the kids are not provided adequate services.







A classroom set up for social distancing in Old Greenwich School.

Photo: Contributed / Greenwich Public Schools

In Greenwich Public Schools, according to past reviews, these statements were true in 1997, 2005 and 2010. And in the past year, those have again become a common refrain from special education parents frustrated with the services the district provides to their children.

And with another new audit of the district's special education department just getting underway, and the results of a 2019-20 review of aspects of special education in Greenwich set to be discussed by the Board of Education at its next meeting, many are wondering whether meaningful change is on the horizon.

“Frustrations from board members and parents around previous efforts centered on the lack of independence and absence of a meaningful action plan centered around best practices tied to any findings,” Board of Education Chair Peter Bernstein said Friday. “Accordingly, the board has certainly been vocal that this audit must be different as we want to know where our program needs to be updated or changed entirely to best serve our students.”

Contention between parents and the district dates at least to 1997, to a review of special education known as the Gold Report, which highlighted, among other things, the disconnect between the two groups. A 1999 superintendent-parent forum, a 2000 parent survey, a 300-page 2005 review conducted by MGT of America, a 2008 community forum and a 2010 review of due process cases by Oswego State University all yielded similar results.

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BY JUSTIN PAPP

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BY KEN BORSUK

**Framework of Greenwich's 2020-21 budget caught at standstill**

Students in need of special education services aren't properly identified by the district. Parents feel intimidated and outmatched in PPTs. And many parents — today as in decades past — feel the only way to ensure that the needs of their children are met is to lawyer up and file suit.

Each of the reviews happened during the tenure of the district's Chief Pupil Personnel Officer Mary Forde, who oversees special education. Through the district's Director of Communications Sasha Houlihan, Forde did not respond to a request for comment. Houlihan said Forde is not involved with the logistics or arrangement of the upcoming special education review.

And the problems with special education have only been exacerbated since the onset of the COVID-19 pandemic, many parents have said at recent Board of Education meetings.

But with results from the Key2Ed study — which focused on professional development with staff and included interviews with over 100 stakeholders — due to come Thursday and a new audit underway, there is cautious optimism that change could be coming.

Like Bernstein, many members of the Board of Education urged at the Oct. 6 meeting that to ensure a positive outcome, the upcoming audit should be thorough and independent. Among them was Peter Sherr, a former board chair and outspoken member since 2009. According to Sherr, reviews in the past decade have all shared the same fatal flaw: they were led by the district administrators they were meant to examine.

Despite those missteps, Sherr said he sees an opportunity.

"The audit is really good because it'll help everyone be working from the same fact base, and it will allow everyone to move to a place where trusted transparent conversation can take place," he said. "It's critical that the audit is independent and transparent so that we can build trust between the school system and the parents it serves and then collectively make decisions about how to improve in the future."

For one parent, Caroline Lerum, a founding member of the district's Special Education Advisory Council who was part of the steering committee that selected the Boston-based educational firm Public Consulting Group (PCG) to complete the review, the continued involvement of parents is crucial to the upcoming study.

"I am hoping that the steering committee that was used to help select the consultant continues to have official involvement throughout the review," Lerum said.

How involved the so-called steering committee — which also included Board of Education members Karen Hirsh and Karen Kowalski, neither of whom responded to request for comment on this story — would be in the project

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Superintendent of Schools Toni Jones did not respond to a request for comment on the forthcoming Key2ed results and their potential impact on the district's services. But Jones did say she was confident about the work to be undertaken by PCG.

"The Steering Committee, comprised of myself, two Board of Education members, and a parent from the PTAC Special Education Support Team, were very impressed with PCG during the interview process, and we feel confident that they will supply us with an independent and thorough audit that will provide actionable information to bring positive change to our District," Jones said via email Friday.

Bernstein, however, said Friday the steering committee would continue to oversee the work. For Lerum, at least, their participation could be what sets this review apart from those of the past.

"The crucial element is this being independent, external and having parent involvement," Lerum said.

justin.papp@scni.com; @justinjapp1; 203-842-2586

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Attachment B-1 page

Greenwich Education Association  
126 East Putnam Avenue, Box 19  
Cos Cob, CT 06807 203-869-2864

Dr. Toni Jones  
Superintendent  
Greenwich Public Schools  
290 Greenwich Ave.  
Greenwich, CT 06830

September 22, 2020

Dear Dr. Jones,

It has been brought to the attention of the Greenwich Education Association that the District is, again, failing to follow the collective bargaining agreement, board policies and the state and federal regulations governing special education.

Our unit members have been directed to meet with families and persuade the parents to modify their children's IEPs outside of the legally mandated processes for amending service plans. As you are no doubt aware, this is a clear violation of the IDEA and the process for developing IEPs for students.

We request that this cease immediately.

Furthermore, special education teachers and other service providers at the elementary level that were assigned to live instruction have, in this past week, been given the added responsibility and service hours for remote students as well. It is unclear how the District thought these teachers could provide the mandated service hours within the contractually mandated workday.

We request that the case loads be adjusted to ensure the legally required services will be delivered in accordance with our collective bargaining agreement.

Sincerely,

GEA Executive Board

CC: Peter Bernstein, Chair, Board of Education

# Attachment C - 2 pages

9/21/2020

Dear Board of Education Members,

In February, at the last BOE meeting that included a public hearing, three GEA members and I attempted to illuminate the Board on what years of inadequate funding and insufficient staffing for Special Education looks like in our schools. We were hopeful that parent testimony before the BET Budget Committee and BOE, punctuated by the GEA view from the classroom, and driven home by an independent Study would finally unlock the funds and innovation required to meet the needs of our students who receive special education services. Then came COVID-19.

The pivot to remote learning was hard on everyone, especially our SPED students and their teachers. We all learned a lot, and summer school incorporated some of the new learning about the efficacy of some in-person services combined with remote.

The opening of school for our SPED teachers has been even more rocky than expected.

1. The plan to provide services to IEP students in Remote School was fully staffed and lasted for a few days. Then, overnight, the teachers were sent back to their classrooms and told that they would be teaching mixed caseloads of in-person and remote students, with little direction and no model for how to make it work. Throughout the summer Dr. Jones made it clear that the hybrid model (in school and remote student simultaneously) WAS NOT appropriate for elementary school, but last week it somehow became appropriate for SPED. Not only was the rug ripped from under the would-be remote SPED teachers, now the in-school teachers would be working in two places too.

2. While I have not inspected every teacher schedule and the corresponding IEPs, I would take the bet that the math doesn't work, even if the teacher works through his/her contracted lunch and prep. At GHS, Academic Lab teachers have caseloads of 35! How does a SPED teacher connect with all of the various regular ed teachers efficiently and regularly during social distancing? Never mind the required meetings and requisite paperwork.

3. GPS SPED is not yet fully staffed due to last minute retirements, resignations, and other changes. I know that Ms Forde and HR are trying, but there is a limited pool of applicants at this time. Not only are there positions open, there are not enough substitutes for teachers OR paraprofessionals. When there are no subs, the options available are more limited than usual due to COVID, because groups are smaller, push-in is limited, and so on. If a para who works 1:1 with a student is absent with no sub, the teacher's schedule is turned upside down, with far more constraints due to COVID. If a teacher is absent with no sub, all teachers scramble to cover or the services are missed that day. Sadly, COVID makes coverage more complicated, but the problem is not new.

It is understandable why many Greenwich families whose children require Special Education Services – and their teachers – feel overlooked a mere two weeks into the school year.

If the Board is able to hire for ALP and seriously consider additional faculty for Music, it is unconscionable not to spend more on Special Education at this time. Furthermore, if you believe in the laws of supply and demand, this budget cycle may be the time to create a higher tier of compensation and training for substitutes who will work in Special Education.

With sincere thanks,

Carol Sutton

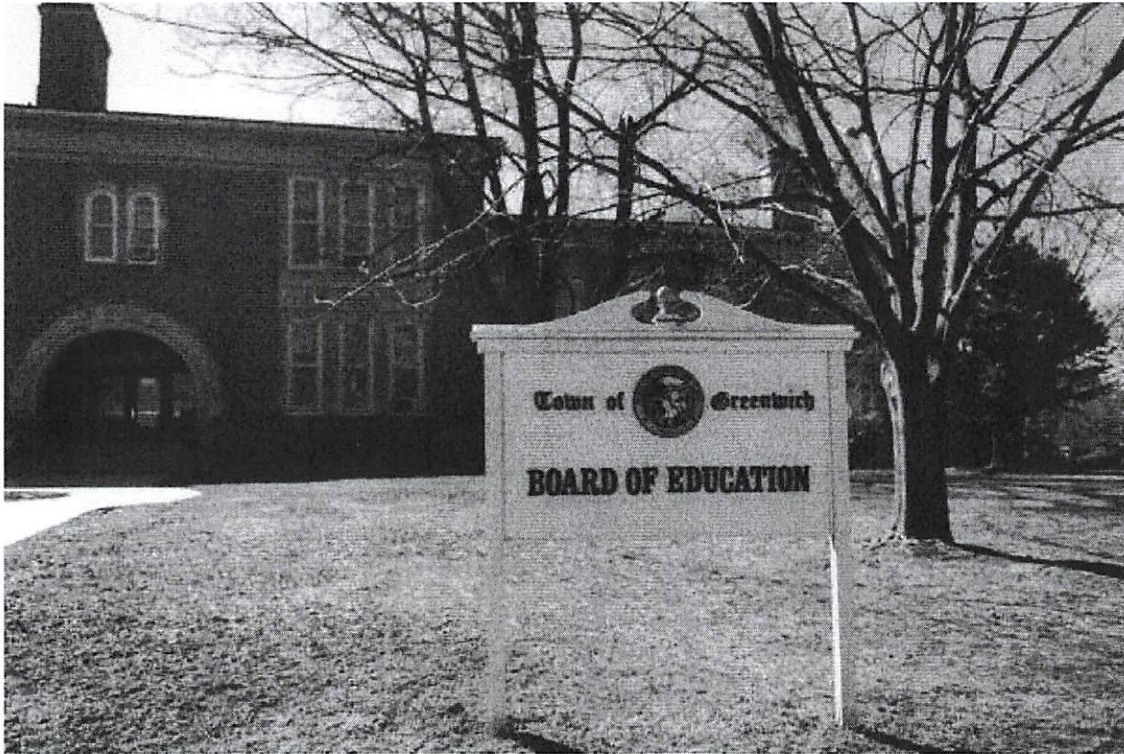


# Attachment D - 59 pages

CT INSIDER.COM >  
Annotations

## Greenwich school board chair frustrated by budget transfers

JO KROEKER MAY 17, 2019



1 of 3 The Board of

Education building in Greenwich, Conn., photographed on Wednesday, March 26, 2019. Photo: Tyler Sizemore / Hearst Connecticut Media

**GREENWICH** — After months of reluctantly approving multiple budget transfers from one department to another within the Greenwich Public Schools, school board Chair Peter Bernstein put his foot down, at least symbolically.

During a meeting Thursday, some members of the Board of Education chastised the district's Finance Department for the way it transfers money within the budget. They characterized it as bad planning and predicted it would complicate budget planning for the 2020-21 fiscal year, which is already underway.

For the latest transfer, administrators asked for approval to move money earmarked for a Smart board to be used instead to buy furniture for the Western Middle School media center. That resuscitated admonitions from Bernstein, occasionally joined by board member Peter Sherr, that go back to December. On Thursday night, these budget transfers passed 5-0, with Bernstein and two board members abstaining.

"I really believe we should do a better job watching transfers," Bernstein said. "The threshold for reporting to the board should be lower. ... I'd like to be more granular."

The Board of Education only sees budget transfers that exceed \$10,000, according to Board of Estimate and Taxation guidelines, which it has to approve. But recently, in response to a number of large budget transfers, mostly from other departments to special education, Bernstein has asked to see budget transfers that are below \$10,000.

Bernstein also put forth a motion Thursday to reduce the threshold for reporting monetary transfers to the school board, which failed with two in favor, four opposed and two abstaining.

"We're creating a lot more work for our financial person without it necessarily having any impact on how we're going to function," board member Gaetane Francis said.

Most of the budget transfers this year involved special education overages, which board members and Interim Superintendent Ralph Mayo attribute to state laws on special education. The law requires the district to pay out-of-district education costs for students whose needs cannot be met in the district.

Board vice-chair Jennifer Dayton disagreed with Bernstein and Sherr on the ability to budget for special education. The special education department cannot predict "with any level of accuracy" its expenditures on out-of-district placements, for example.

"It's the most volatile part of our budget," she said. "This is a universal problem because of law called burden of proof. We're going to continue to have out-of-district placements. I don't think it's a result of (Chief Operating Officer Lorianne) O'Donnell's procedures and practices. I think this board needs to get educated about special education."

To plan for more out-of-district placements for the upcoming fiscal year, the municipal budget for 2019-20, which was approved Monday, includes an additional \$600,000 for special education.

In December, the district transferred \$220,000 to cover out-of-district tuition settlements. O'Donnell said her department had to look districtwide for savings, and found some in the facilities budget.

But Bernstein implored the chief operating officer to find the money within the special-education budget. The budget increases for special education throughout the year will make it harder to increase the budget when the BOE and the district are crafting an operations budget, he predicted.

In January, the district transferred \$77,000 from other departments for special-education out-of-district settlements and public-school tuition payments.

Bernstein reiterated his concerns. "I would appreciate it if we could try to find that money within the special-education budget," he said.

O'Donnell said he is seeing transfers from other departments because of the strain on the special-education budget. "At this point, we don't think we can put any pressure on the special-education budget overall, which is why you're seeing transfers coming from other places," she said.

In February, the district transferred \$11,469 from other departments to special education. Bernstein said he was reluctant to approve that transfer and exhorted the budget department once more to find the money within the special-education budget.

Sherr agreed with Bernstein. "We can't run a budget with a program this large, with this amount of money, and keep having these overages, and then go on an Easter egg hunt for the money," he said.

In April, the board approved budget transfers totaling \$434,780, of which \$358K was for special education needs.

During this meeting, Bernstein suggested seeing all transfers above \$5,000, but the school board would need to approve only those exceeding \$10,000. Bernstein exhorted O'Donnell to clean up the budget and said the existing practices are not where they ought to be.

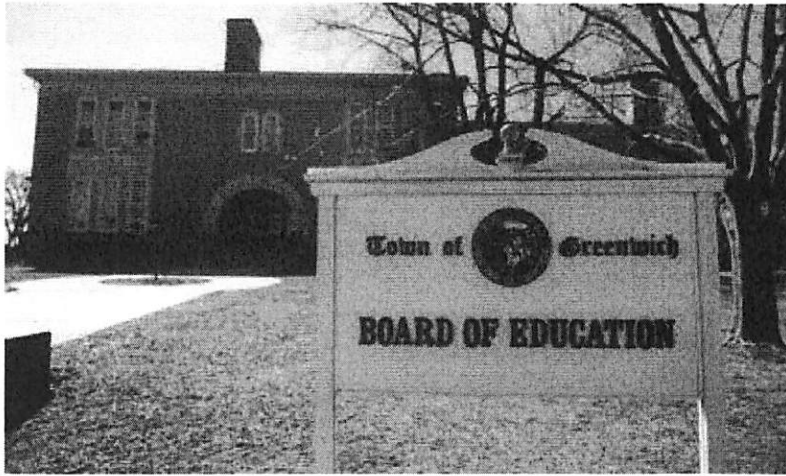
"I think we really need to clean this up to reflect what we're doing," he said.

*jo.kroeker@hearstmediact.com*

<https://outline.com/qMHHXF>

**Jo Kroeker June 17, 2019 Updated: June 17, 2019 2:39 p.m.**

**Comments**



The Board of Education building in Greenwich photographed on March 26.

Photo: Tyler Sizemore / Hearst Connecticut Media

GREENWICH — Like most year-end school board sessions, this week’s meeting of the Greenwich Board of Education featured glowing speeches for administrators and a cheery video of great things happening in the classroom.

When they were done, however, a group of parents rose to present a different picture of the town’s public schools. During public comments, they told stories of how administrators in Pupil Personnel Services, the department that handles special education, have mistreated students and parents, mismanaged services, delayed testing for learning differences and denied needed services.

The department has exceeded its budget in recent years. The district struggles to pay for legal fees and settlements from parents disputing their child’s services, and out-of-district transportation and private school tuition, which it is legally required to provide when deemed necessary, in addition to the in-house services it provides.

Parents contend these financial woes are symptoms of a greater problem within the department, one that begins with administrators delaying and denying essential services to their children, which, when compounded over time, create larger educational and financial burdens.

“This is a systematic problem that will only continue to swallow budget funds through litigation and outplacements,” said a Cos Cob parent of an autistic child. “Please consider serving all students in this district, and giving the autistic and special needs population the support and opportunities their peers are given.”

For months, school board Chair Peter Bernstein has chastised district officials for transferring money from other departments to special education to cover the unforeseen costs. Board Vice Chair Jennifer Dayton and Interim Superintendent Ralph Mayo have defended the district, saying that some of these costs, such as transportation and outplacement, will continue to rise unless the state laws on special education change.

The parents’ stories motivated the Board of Education to unanimously call for an audit of the special education program to be included in the 2020-21 operating budget. Funds for an examination of the department had been included in an early version of the coming year’s budget, but were removed before it was passed.

“I think that’s absolutely appropriate after the meeting we had tonight,” Dayton said. “I am not optimistic that we will be able to follow (Board of Estimate and Taxation budget) guidelines, but I think it’s essential. We cannot continue with business as usual. We need to reform and redesign our delivery of special education.”

### **Parents speak up**



Several parents shared with board members how difficult it has been for their families to navigate special education, and the lack of trust they have in the system.

Jennifer, who requested Greenwich Time only use her first name to protect the anonymity of her children in the school district, told board members that for years, her daughter's school refused to test her for learning disabilities, saying instead she was performing poorly on education assessments because she was taking them too quickly.

Finally, the school agreed to pay for a neuropsychological exam, but it took more than six months for the testing to be completed. After the test, her daughter received an Individualized Education Program, or an IEP, a formal plan for special education services that is reviewed yearly. But by then, three months of third grade remained.

When her daughter entered fourth grade this year, she was lost, Jennifer said. But the Planning and Placement Team tracking her daughter's progress had a different read. They said the child had progressed so much that they were cutting back her special-education service hours because they weren't "necessary," she said.

Three weeks later, her daughter's STAR test results returned, showing that she was reading at a second-grade level, Jennifer said.

Administrators had her daughter take the STAR test twice more. Her first score did not change, but her second was 179 points higher. Jennifer said her daughter told her that her principal helped with the second. She later provided Greenwich Time with a screen shot of the two test scores, recorded in the span of a few weeks, with the large point differential.

"We were outraged and concerned," Jennifer said.

Eventually, officials concluded their daughter should move to another school. She retok the test there, and her parents said they were told that their daughter was given allowances at her prior school that were outside what had been written in her IEP.

"Our daughter was nothing more than collateral damage," Jennifer said. "I literally can't understand how these people sleep at night. When did it become OK to subordinate the needs of a vulnerable child to protect one's 'reputation?' This must stop here and now."

Jennifer implored the board to make changes.

"We will continue moving forward on a state level for the sake of all of the other special education children who, under your guise, will continue to be set up for failure in life," she said.

Another parent, Caroline, said she struggles to get her autistic son the support he needs. He regressed significantly this year, cries daily, suffers from anxiety and is becoming more aggressive with school staff, but the administrators tracking his progress said "he is having a fantastic year," she said.

"His behavior will get more disruptive if someone doesn't help him soon and he is five," she said. "He has been denied a registered behavioral technician, which he so desperately needs. What is it going to take for my son to be successful in this system?"

The video board members watched only reflected a neurotypical child's experiences, she said. Special-needs children were not represented.

"What you saw is an inaccurate description of how the school district functions, and the lack of support and opportunities my son receives because there is no program to support the autistic community," she said.



Lindsey has three special-needs children. Two have IEPs, and one has a 504 plan, which grants any child with a diagnosed learning disability accommodations in school. Together, they have attended seven Greenwich public schools, including summer school, she said. All three have had their civil right to a free and appropriate public education broken, she said.

An assistant principal threatened that she would make sure she did not get custody of her children if she did not comply with a directive to send one child to a mental institution, she said, adding a principal told her on video that one of her children likely caused a miscarriage for a teacher.

Her son was outplaced for the last five years.

“Greenwich operates in penny-wise, pound-foolish manner,” she said. “Special education is such an enormous part of your budget. You are outsourcing these kids not because they’re moving into this district but because they are failing these students over and over again.”

Board members looked traumatized.

“This has been difficult,” board member Gaetane Francis said. “I’m not speaking for everybody, but I think there’s a difficult emotional response to this situation.”

She turned to Interim Superintendent Ralph Mayo.

“I am quite sure that our students need to be at the center of care,” she said. “I would simply say that I hope that these issues are being addressed with care. I know that you care about our students. I would feel uncomfortable not responding to the things we’ve heard.”

Board member Peter Sherr told fellow members that hope is not a strategy, and reminded them that they should not be shocked.

“To be candid, some of these issues should not be foreign to the eight of us,” he said. “Some of these stories ... This is not the first time we’ve heard them.”

### **Budget strains and reviews**

On Friday afternoon, the day following the meeting, Chief Pupil Personnel Officer Mary Forde said she could not comment on any specific cases, but she contested the general claims made about the connection services can have to outplacement and overall costs.

Her department develops a budget one year before it is implemented, she said. “It’s a volatile group of children with needs that change,” she said. “It makes it harder to predict what’s going to happen 12-16 months out.”

Outplacements and lawsuits impact the budget, but Forde said the volatility of children moving in and out of the district and services contributes more.

Tuition and settlements comprise the only budget line exceeding its limits. This year, settlements have been higher. The district has had more students with IEPs move into the district, and more children who live in town with out-of-district placements. It may be only one or two children per category, but it all adds up, she said.

That is why her department cut the \$300,000 budgeted for the evaluation, she said, to save money.

Her department has been reviewed in the past. The review her department suggested last year would examine best practices in special education and see to what extent they are practiced in Greenwich.

As for the cases laid out Thursday night, Forde contested how parents frame their requests for assessments. Administrators must follow strict guidelines: Anyone can refer a child for special education, but an administrator must suspect there is an actual disability before the child is tested. The district will conduct interventions in the classroom before recommending an assessment to ensure there is a reasonable suspicion of a disability.

And not all children with disabilities require special education, Forde said.

Forde acknowledged the break-down between parents and PPT members over observations of special-needs children, but said it is rooted in distrust.

“Is it unusual that children are different at home than they are on the playground? No,” she said. “We’re never looking at one thing. I’m sure it’s frustrating for everybody when you see something in one environment that you don’t in other environments. We just have to trust each other enough. ... I wish that were the case. And once something happens and the trust is broken, it’s hard to get trust back.”

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# Greenwich Parents, administrators at odds over special education

JO KROEKER SEPTEMBER 14, 2019



Havemeyer building

GREENWICH — Parent dissatisfaction with the special education department in Greenwich Public Schools has simmered for two decades or more, periodically boiling over when individuals have banded together to demand reform.

That is happening again. After a group of parents aired grievances regarding special education services at the June Board of Education meeting, board members renewed talks of a conducting a review of the Department of Pupil Personnel Services, which administers special education.

On Friday, department director Mary Forde said a focused review by the University of Connecticut is in the works.

“We are going to engage in a special education review process this year,” Forde said this week, adding she will present more details at the BOE meeting on Thursday.

Meanwhile, the parents who spoke out in June joined forces and formed Spedicated Greenwich, an independent group that now numbers nearly 100 members who say they are dedicated to educating themselves and each other and making lasting change. They meet for the first time Tuesday and plan to speak at the school board meeting Thursday.

Greenwich’s special-education department, which provided a range of educational and therapeutic services to 1,072 students last year, has been reviewed many times before.

Evidence of discord between parents and educators dates back at least to the Gold Report, a review with recommendations from 1997. Some findings are particular to the time, but others are perennial, including that parents felt at odds with administrators.

This tension, and its effects, were echoed in a superintendent-parent forum in 1999; a parent survey from 2000; a 300-page report based on interviews, surveys and document reviews by MGT of America in 2005 and a community forum held in 2008.

More recent reviews have included one of due process cases — those in which parents formally challenge the school system’s plan for their child in a trial-like setting — in 2010 by Oswego State University, which was commissioned in response to concerns parents had expressed over time and at a December 2009 meeting.

Five years later, a consultant reviewed the department’s policies and procedures and its high number of mediations and due process proceedings.

All along, state complaints against the district, lawsuits, and interviews with parents and lawyers have told the same story of parents going to battle for their kids.

Administrators failing to identify children for special education evaluations, preying on the parents’ lack of familiarity with special education laws and forcing parents to lawyer up and go to due process are just some of the problems cited — over and over again.

“It is heartbreaking to know that parents are facing the same problems today that we were discussing 10, 15 years ago,” said Paige Davis, the parent of a graduate of Greenwich Public Schools who struggled to learn to read her whole academic career.

From 1997 to 2008, Davis and other parents in the Special Education Services Committee of the Parent Teacher Association met with administrators and collected parent input to impel changes to the special education process and program. Watching new parents do the same, she said it seems little has been done.

Seven years later, parent Kristin Zisson layman’s investigation determined that the district had qualifications for identifying children with disabilities that were too narrow. While her complaint to the federal Office for Civil Rights led the district to change its policies, she said she is still angry about her experience.

“It is hard,” she said. “You’re trying to parent your child and fight the district on something that they know they need to do under law.”

The many reports have acknowledge bright spots: Many staff and administrators are bright, qualified, committed and caring; the schools have a strong curriculum aligned with state standards; the district’s policies and procedures are thorough, frequently updated and present in all schools.

“As we have gone through 22 years of special education, we’ve seen improvements,” Forde said. “Many of the things in the Gold Report are not applicable anymore.”

The high cost of providing some special education services, including the mandate to place students in private schools if needed, fuels some of the conflict.

In the 2017-18 school year, for example, Greenwich schools budgeted \$22.5 million for special education costs, 14.5 percent of its operating budget that year. That was a \$2 million jump from the previous year; and halfway through the term, the system had already gone nearly \$1 million over budget due to numerous due process settlements and tuition for student placements at institutions outside the district.

Greenwich often goes over-budget due to the number of settlements with parents. This year’s budget includes an additional \$600,000 for out-of-district placements, after administrators covered last year’s overages with budget transfers.

“Districts do not have the money to implement the (special education) mandate the way they were supposed to,” said Kathleen Casparino, an advocate, or non-legal professional who helps parents navigate the system.

But parents, advocates and lawyers say trying to skimp on services in the short term costs more over time because children who fall farther behind need more services and could open the district to legal disputes.

“People are very short-sighted about the returns in education,” said advocate Gerri Flemming,

The Individuals with Disabilities Act of 1990 requires states to identify and evaluate children for disabilities and provide them with a free and appropriate public education in the least-restrictive environment — one with the most time spent with general-education peers.

Parents can also request a district or independent evaluation, funded by the district. If the district finds no evidence suggesting a disability, it can deny the request, but it must explain why.

If a child is found eligible for services, a group of professionals must meet with parents in a Planning and Placement Team to draft a plan for the child, called an Individual Education Program, or IEP.

PPTs meet at least once a year to review the IEP, but more often if team members think the document should be revised. The meetings are designed so parents, staff who work with the child and administrators collaborate on goals and services for the child and provide progress updates.

If this process breaks down, parents can file complaints with the state, which can lead to a due process hearing, or eventually settle differences with the school district in court.

### **In practice**

In Greenwich, administrators too often delay testing, deny services and deflect problems back to parents, advocate Kit Savage said.

Back during the 2008 community forum, parents said they were told to “wait and see” if their children improved when they reported concerns that their children had disabilities and requested evaluations.

That complaint has not gone away over the years. Multiple parents of current students and graduates from the district said administrators told them this when they sought interventions, and lawyers in Fairfield County said they have represented families who have dealt with this approach. Among 55 members of Speducated Greenwich who responded to an informal Greenwich Time survey, 45 agreed or strongly agreed that district administrators say those same words now.

Another parent told Zisson, who suspected her child had a few disabilities, to have her son tested independently. Zisson said she realized the district would not offer testing as an option because it would have to pay.

The district never evaluated her son, who was found to have two disorders, including ADHD, she said. He was eligible for in-class accommodations under Section 504 of the Rehabilitation Act, which is separate from the disabilities act and provides for accommodations — such as extra time on tests — to perform grade-level functions along with peers.

### **Parents’ disadvantage**

Consultants hired by the district have found, and parents report, the adversarial relationship often continues once kids are found eligible and the PPT meeting is convened.

Lawyers and advocates say parents struggle to be on equal footing with administrators. Parents, especially first-time parents, working parents or parents who are non-native English speakers, are often at a disadvantage because special education is not their profession.

“At every level, people were talking in circles around me because they knew I didn’t understand the law enough,” Zisson said.

“Greenwich is shutting parents out of their kids’ education, and marginalizing them in the PPT process,” Savage said.

Their observations echo what consultants found in 1997 and 2010. Gold consultants found professional teams used considerable jargon and parents appeared overwhelmed with data. One staff member said the typical meeting is “not user-friendly.”

Thirteen years later, the Oswego team reported parents found meetings “overwhelming, confusing, confrontational or combative.”

“Parents are supposed to be able to collaborate on concerns and receive the respect and consideration that they know their child,” Savage said.

Teams try to make the meetings feel as accessible as possible, by clarifying parents’ questions and giving them information ahead of time, all within the restrictions that regulations impose, Forde said.

“Sometimes, that doesn’t feel user-friendly, and unfortunately, it is,” she said.

### **How parents fight back**

When “overwhelming” escalates into “confrontational,” parents often fight back — a development that costs the district money, the MGT report said. Consultants recommended that the district review its disputes and change the practices that expose it to litigation.

Forde said requests for intervention are relatively stable, although more frequent than other comparable districts because Greenwich is large. The rate is generally consistent with Fairfield, she said.

“It’s troublesome,” she said. “I don’t like to engage in due process.”

The root of disagreements is the term “appropriate,” about which the Individuals with Disabilities Act is inadvertently vague, she said.

Parents who find public school services inappropriate can place their children in other schools and sue the district for tuition, or keep their children in the district and pursue for more services.

The majority of these cases are closed after being assigned to a hearing officer because the parties seek to settle the dispute in mediation. Parents and administrators often come to terms on a new level of service, and parents sign a non-disclosure agreement in exchange. From 2013 to 2015, 19 of 26 Greenwich cases assigned to hearing officers were resolved through agreements and settlements.

The state adjudicates unresolved disputes. Of the 144 fully adjudicated cases in the last 20 years, 14, or 10 percent, came from Greenwich. In eight of the cases, the state ruled in favor of the parents.

In these cases, the district was cited for failing to identify children for services, for not providing a free and appropriate public education and for writing inappropriate IEPs, experiences that led some of these parents to pull out their children and place them in private schools.

Forde said it is unfortunate that the district has to debate what is appropriate for the child in a legal forum.

“It’s not our goal,” she said. “Many of these families will be with us for 10 to 15 years, so we don’t want it to be adversarial.”

Zisson, a freelance journalist, decided not to hire a lawyer, but instead to investigate.

Documents she requested revealed that Greenwich was training teachers to use less than half the criteria that the federal government says can qualify a child for accommodations under Section 504, she said.

When the Office of Civil Rights investigated her complaint, it cited the district with a violation, despite the district’s lawyers’ attempts to have edits made afterward to frame the outcome as a “voluntary compliance correction,” according to emails between lawyers and the OCR.

“(Special education is) the only system I know that when you get caught doing the wrong thing, all you have to do is the right thing,” Casparino said. “There’s no incentive to do the right thing. You saved money all the times you didn’t.”

*Editor’s note: An earlier version of this story printed Sept. 15 misspelled advocate Kathleen Casparino’s last name.*

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More Insider Stories

## ‘Sobbing in the parking lot’: Teacher’s union leader lists special education struggles



Jo Kroeker Jan. 16, 2020 Updated: Jan. 17, 2020 9:16 p.m.

Comments

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GREENWICH — From teachers and students having to evacuate classrooms while a student has an emotional or physical breakdown, to teachers being bitten by students attempting to self-harm, special education educators in Greenwich must contend with conditions beyond their resources to control, their union head said this week.

Greenwich Public School special education teachers are overworked, outnumbered and undertrained, Greenwich Education Alliance President Carol Sutton said she found after months of talks with her members.

Sutton saw that only 53 percent of Greenwich teachers in a survey said they were satisfied in the district, down five percentage points from two years ago, and almost 30 percentage points below the 80 percent satisfaction rate the district is aiming for.

Disheartened, she set out to learn why, and reported her findings to the Board of Education and school administrators on Thursday night at the school board’s meeting at the International School at Dundee. About two dozen teachers attended to support her.

She and other leaders met with elected officers, building officers and members over the last couple of months. The overarching theme was dissatisfaction with special education, filled with disturbing details, including forced room evacuations and biting.

“The way special education is staffed and supported in Greenwich is adversely affecting every school, every student and every teacher,” Sutton said. Parents and teachers in attendance applauded.



She spoke in broad strokes, but said that on Feb. 20, the Greenwich Education Association will return specifically to address teachers' concerns and present their goals for the future.

Evacuations occur on "far too frequent" of a basis, Sutton said. Sometimes, these evacuations last a long time.

"We found that teachers and other adults are physically injured by students on a regular basis," Sutton said. "We have protocols in place, they go through protocol, and they sometimes have to go out on workers compensation."

Pupil Personnel Services Director Mary Forde said in a statement Friday that this year, her department has changed the role of the district's Special Education Coaches to fully support schools with children with behavior-related disabilities.

"Safety is a priority for students and staff, which means that sometimes we have the other children leave the classroom both for safety and to preserve the student's social presence in the class," she said. "Staff who have children with aggressive behaviors receive training in the Physical Management Training strategies. Our Special Education Team will continue to review concerns from our staff to discuss how we can improve issues."

The GEA found students are not getting their services, and that the district is not providing and cannot provide a full continuum of services for students, Sutton said.

Teachers said there are not enough paraprofessionals, professionals or specialized staff in place, and faculty members do not have enough specialized training to deal with the issues they face on a daily basis.

"Board members, Dr. (Toni) Jones, our teachers are committed to success of all students. It's why they teach," Sutton said. "And it's also why more than a handful are sobbing in the parking lot every day."

Parent Diana Martinez said she stopped teaching in Greenwich Public Schools because she could not advocate for her students the way she could advocate for her sons. She detailed frustrations she experienced as a teacher, feeling powerless and voiceless in helping students.

"Advocating for other people's children is risky business in this district, and it shouldn't be," she said.

To help, teachers have to let parents in on what to say, write or know in meetings with administrators, without letting those administrators know, she said.

"I needed a back channel, though, because it involved going against the Planning and Placement Team meeting at my school, which was headed by the very administrator who completed my evaluations, who decided what classes I taught, who decided whether I had my own classroom or floated between classrooms, who decided what extra duties I had during the day," she said. "In short, it was suicide."

The school board has already requested funding in the 2020-21 budget for an independent review of the district's special education program, Board Chair Peter Bernstein said in an email Friday.

“It would be my expectation that this review would cover the lifecycle of the program, from identification all the way through to how we provide services,” he said. “This review, which must include actionable results, is a means of ensuring that we are providing services to our students in a collaborative manner with both families and teachers.”

Bernstein encouraged the GEA to work with Superintendent Jones as the board moves forward in evaluating and improving the district’s program.

The district takes concerns that teachers and administrators raise seriously, Jones said in a statement Friday.

“Certainly if there is a safety issue in the classroom, we are concerned and will work in partnership to see how we can remedy that,” she said. “I am out in the district every week visiting schools, meeting with teachers and administration, observing lessons, so I use these opportunities to gather first-hand feedback from our colleagues, so that we can collaboratively work to make sure that we address concerns when they are raised and celebrate successes when they are shared.”

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# Greenwich school board blasts Special Education Department



Jo Kroeker\_Feb. 24, 2020 Updated: Feb. 24, 2020 6:57 p.m.

GREENWICH — For the past four months, Greenwich mother Jennifer Dubinsky has heard her 6-year-old daughter say, “I am nothing,” “I am zero” and “Nobody wants a broken doll.”

And Dubinsky said she has watched all the progress slip away that her daughter has made since she was diagnosed with autism at the age of 18 months. The girl has devolved into self-harming at an alarming rate, and when Dubinsky raised these concerns at her daughter’s school, she said they were sugar-coated.

“The money I spent, and hours that I’ve watched her do such hard work since she was 18 months old, it’s all gone,” she told school Board of Education members during the time for public comment Thursday evening.

“Instead, I now have a 6-year-old with separation anxiety so bad, that when I pull up to our driveway, she screams and tries to get out,” she said.

Greenwich Public Schools provides special education services to 1,073 students, of whom 969 attend the elementary and middle schools, the high school and the continuation programs for students up to 21 years old.

The district has come under fire in recent months by parents who have begun speaking up in school board meetings about problems in the district’s Special Education Department. After months of hearing from parents, and two meetings in which teachers from the Greenwich Education Association union also spoke up about the lack of support they feel in special education, board members again reiterated their desire for what school board chair Peter Bernstein calls a “soup-to-nuts” review of the department.

Currently, an outside group called Key2Ed is working with the district to improve the program. This has involved more than 100 interviews with parents, teachers and administrators, and training with school staff in how meetings with parents of special education students should be run.

One early product of this process was a report that Pupil Personnel Services Director Mary Forde delivered Thursday night to the board later in the meeting.

But earlier, Dubinsky concluded her heart-rending speech by admonishing the board for how its teachers lie to her and gaslight her. In response, she said she has hired an advocate who helps her get better solutions for her daughter during planning meetings with teachers and administrators.

“You don’t want to educate, you want to litigate,” Dubinsky said. “You want your jobs more than you want to raise adults.”

Her speech came after a small group of Greenwich teachers told the board about their struggles to provide services to children in accordance with federal law and each individual child’s program. Like Dubinsky’s statement, their story differed from Forde’s report.

About a half-hour later, Forde read to the school board a preliminary report on staffing, the rate of children placed in specialized schools and the kinds of disabilities exhibited by students receiving special-education services.

The report found that the district complies with federal laws, and delivers services efficiently and effectively. It also highlighted successes: How students are included in general-education classrooms; what kinds of colleges they go to; and the kinds of special programs they have access to.

But this was not what board members wanted to see. Bernstein said the questions raised in the report were the same ones posed two years ago in a similar report.

“I’m not convinced this is the right question, I wasn’t two years ago, I’m less convinced now that this is the right question,” he said.

After hearing stories of students regressing, parents fighting for services and teachers fearing retribution from administration and feeling not equipped to educate the children with disabilities in their classes, Bernstein said the question should be more basic. He asked, is the district properly serving children in the best way possible? His answer was that he could not say “yes.”

“The board wants everyone to be 100 percent compliant, but we don’t want to talk about compliance — we want to talk about outcomes for kids,” Bernstein said.

He asked Forde whether the program exits kids and returns them to general education. He compared the outcomes in Special Education to the English as a Second Language program. Where there are children in both programs, they are able to graduate from ESL, but “they’re special-education students forever, and I don’t think that’s right,” Bernstein said.

In the ESL program, students are expected learn English and then no longer need additional services, Forde said. Special education is different, she said.

“When you’re in special education, you’ve been identified as a person with a disability,” she said. “It’s a lifelong disability; that’s what you have, and we’re here to give you specially designed instruction to give you compensatory skills. There is not an expectation that if you learn something, you are no longer a person with autism.”

Autism comprises 13 percent of Greenwich's students with disabilities, compared to the 40 percent with learning disabilities, such as difficulties decoding words.

"There are students who have learning disabilities where if we gave them the supports that they need, could actually grow," Bernstein said. "And I fear we aren't doing that in a way that's attractive to them."

Board member Meghan Olsson, who attended the meeting in person after many weeks of attending by phone, also disagreed with her distinction.

"Mary, I'm not sure why you still have a job," Olsson said. "If someone has ADHD, you can teach them executive functioning skills; it doesn't mean they always need to have services. You can give them educational tools and therapy to circle back."

Something needs to be done, she continued.

"We hear people pour their guts out and we are failing to meet the needs, and you're at the helm," Olsson said. "I'm at a loss."

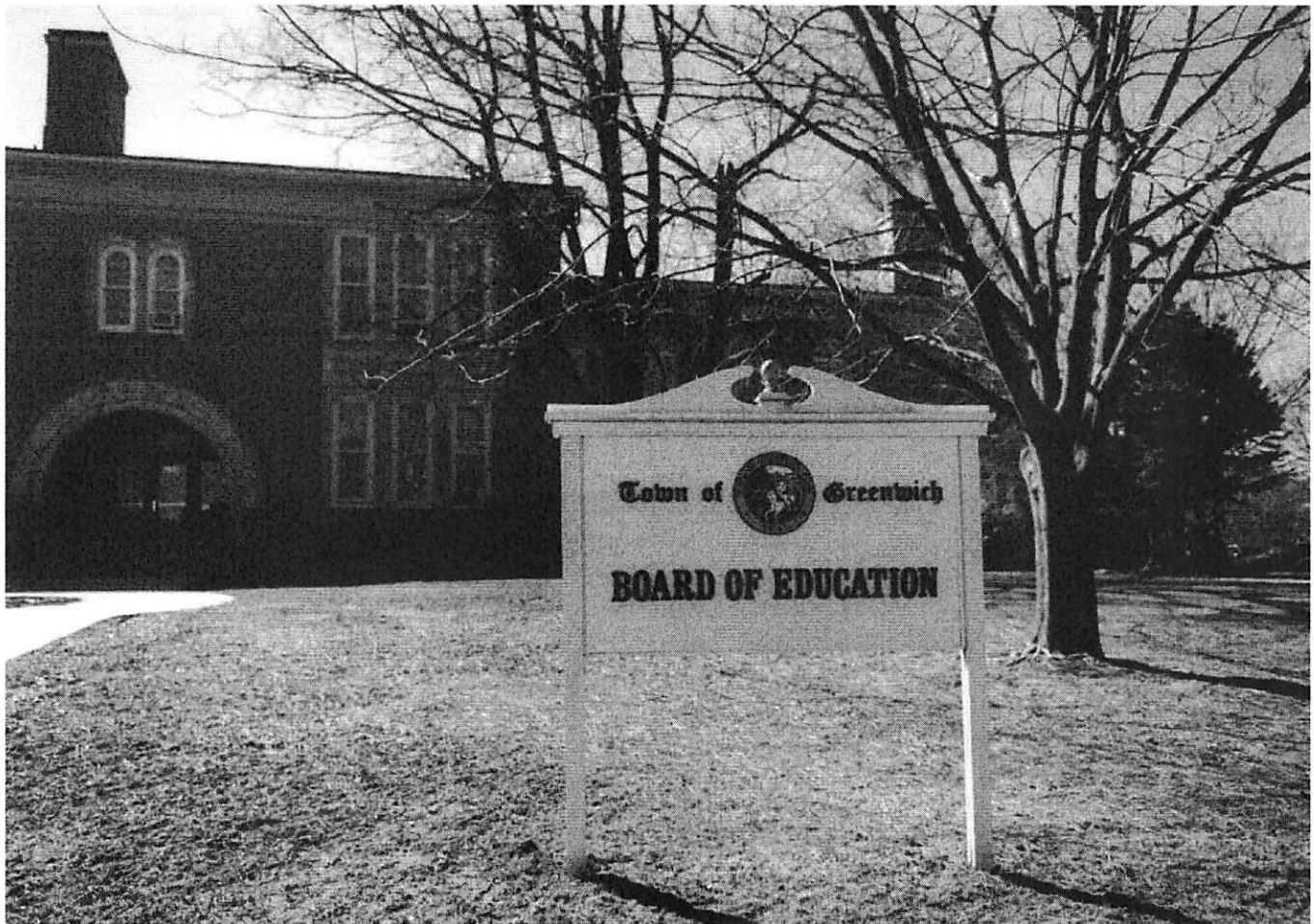
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# Greenwich schools freeze spending after special education goes over-budget



Jo Kroeker\_March 1, 2020 Updated: March 2, 2020 7:54 a.m.

## Comments



The Board of Education building in Greenwich, Conn., photographed on Wednesday, March 26, 2019.

Photo: Tyler Sizemore / Hearst Connecticut Media

GREENWICH — The Greenwich Public School District has put a limited freeze on spending to manage unanticipated expenses of \$1.2 million, caused by overages in the special education department.

The district is paying more than it planned in tuition fees for 36 children who have severe needs that the district cannot meet. These children attend private, special-education schools outside the district, and their parents and the district share the costs of tuition.

The freeze, which began last Wednesday, allows only for essential spending, which means that “exceptions will be made to continue to fund essential and mandatory spending so that the teaching and learning process is not affected,” said Greenwich Public School Chief Operating Officer Sean O’Keefe in an email.

The department has exceeded its budget for out-of-district tuition and settlements five of the last six academic years. To make up the difference, the district has pulled money from other departments, a strategy that is reaching its limits as the number of outplaced children also rises. Over the last year, the pattern of monthly transfers has drawn the ire of school board Chair Peter Bernstein, who has repeatedly decried the underbudgeting and transfers.

He repeated his concerns last Thursday when the board approved \$301,226 in transfers, including \$276,226 for a new tuition settlement.

“I’m always extremely uncomfortable when we start moving funds to make this up, but I’m going to hold my nose on this one,” Bernstein said.

[Related: Board Chair frustrated by budget transfers](#)

[Related: Special Education \\$1 million overbudget in 2018](#)

During the last academic year, the district made \$655,000 in transfers over the course of six months from other budgets to cover overages in out-of-district tuition and settlements, when there were 28 students out-placed.

To anticipate similar overages during the 2019-20 academic year, the district added a cushion of \$600,000. But by this winter, when the number of out-placed student increased to 36, it was not enough.

In December, O’Keefe projected the district was over-budget in out-of-district spending by \$420,000, and in January, that number increased to \$900,000, according to Board of Education documents.

Now, that sum is \$1.2 million, and the district opted this time to freeze non-essential spending until the costs can come under control. O’Keefe said that the partial freeze “will help us reduce the potential exposure down to zero.”

To find the money for the \$301,226 in transfers, the district pulled from unfilled, salaried support positions. These positions include an assistant director of Human Resources and a few part-time and regularly salaried library staff in the schools.

"I applaud your efforts to try and find the money," Board member Christina Downey said in the meeting Thursday.

Overall, O'Keefe said he identified \$425,000 of savings in the operating budget, which has reduced the projected exposure down to \$775,000.

### **Understanding outplacements and settlements**

In a district of 9,099 students, Greenwich provides a variety of special-education services to 1,018 students, which is fairly low compared to other districts. In 2018-19, Greenwich had the second lowest rate of children receiving services, of 12 comparable districts, including Stamford, New Canaan, West Hartford and Danbury.

Of those kids, Greenwich Public Schools keeps more within the public school system than other districts, which increases the number of certified personnel and affects the budget, Forde told the school board last week.

"We tend to have ... more staff than some districts because we have fewer kids outplaced," Forde said. "We do serve a higher percentage of our students in-district, which makes our budget that goes to staff higher than in other districts."

Although the number of outplaced children is low, it is growing.

Outplacement appears to be a top concern among parents who dispute the services Greenwich provides.

If the district opts to keep a child in the district during the course of the Planning and Placement Team process — when parents, teachers and administrators together decide a special-education plan for a child — parents can contest the decision by requesting a mediation session.

Parents and the school district had to work out their disagreements with a trained, impartial mediator from the state Department of Education 25 times in 2018-19. The issue of outplacement was raised in all but three of the mediation sessions. Only New Canaan, West Hartford and Weston had higher proportions of mediation sessions in which outplacement was an issue.

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# Greenwich school board to review \$1.2M appropriation for special ed

By [Jo Kroeker](#)

Published 6:51 pm EDT, Wednesday, March 25, 2020

GREENWICH — The Board of Education will meet virtually Thursday night to vote on whether to approve an appropriation that would pay for overages in the special education budget.

The Greenwich school board will also discuss forming a pilot Special Education Advisory Committee, a group of teachers, parents and administrators that advises the school district.

The meeting is virtual so that residents can continue to follow Gov. Ned Lamont's order to stay home and avoid large gatherings to prevent the community spread of the novel coronavirus.

About half of the board's agenda items have been postponed for another month.

Residents can call in to the meeting, which starts at 7 p.m. Thursday, by dialing 646-558-8656 and entering the Meeting ID 295 268 187.

The board will vote on an interim appropriation of \$1.2 million for budget overruns in special education. The overage was caused by an increase in the number of special education students transferred to specialized schools that better meet their needs.

The overages for the 2019-20 school year could be covered by an excess cost grant from the state, which will likely be released in May. The 2018-19 grant, for example, returned \$1.2 million to the town.

"Given the unknowns, the Board of Education believes it is prudent to seek an interim appropriation for \$1.2 million to ensure that we do not end the year with a negative balance," Chief Operating Officer Sean O'Keefe wrote in the proposal. "Any remaining funds will be returned to the town."

This overage is projected to continue into the 2020-21 school year. Based on a recent review of the current students returning for next year, the school district will be overbudget in out-of-district tuition and settlements by \$1.5 million, he said.

The BOE had made progress in reducing the exposure in the operating budget from \$1.2 million to \$775,000, but the exposure increased by \$320,000 because more students were identified as needing out-of-district placements, he said.

The interim appropriation also includes about \$80,000 to cover continued costs to rent the scaffolding that shores up the bleachers at Greenwich High School's Cardinal Stadium, as well as overtime for custodians who deep-cleaned the schools due to the coronavirus.

The Greenwich Athletic Foundation had given money that covered installation, removal and monthly rental of \$6,800 through the end of the fall season.

Work on the bleachers, scheduled for December 2019, was delayed because the Board of Estimate and Taxation put a condition on the funding on a review of using the space under the bleachers. After that work was done, the BOE voted on a new design in January 2020.

As for the coronavirus, the school district's business office is tracking expenses related to mitigation and distance learning. Although it is pursuing reimbursement where possible, at this stage, the office does not believe funding is available.

The district also recommends that the board approve a motion to participate in a state Department of Education-approved Special Education Advisory Committee. The pilot group would be comprised of parents, teachers and administrators.

Other states have SEACs built into their legislation, a law that has yet to, but could, come down the pipeline in Connecticut. As of now, the state department has supported a few pilot SEACs in the state, including in Norwalk, Superintendent Toni Jones said in a BOE retreat earlier in March.

"Connecticut is very proactive having these available so that when it comes time and legislation does say we have to do this, we have good examples of what we have to do," she said at the time.

The council provides guidance to and advises the BOE, and members of the board are welcome to attend meetings, but they are not voting members.

In Norwalk, "it was really a stage for families and the school district to work together cooperatively for the end goal of children having the best experience they can," Jones said during the meeting.

Any questions regarding access to the meeting should be sent via email to BOE Clerk Michael Antonaccio at [michael\\_antonaccio@greenwich.k12.ct.us](mailto:michael_antonaccio@greenwich.k12.ct.us). Details on accessing the meeting can also be found at [GreenwichSchools.org/VirtualMeetings](https://www.greenwickschools.org/VirtualMeetings).

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GREENWICH — When parent Jennifer Kutai filed a complaint with the state over the Greenwich Public Schools' handling of her child's special education program, she did not imagine she would trigger a districtwide review of its policies. But she did.

In addition to requiring the schools to correct violations specific to the education of Kutai's daughter, the state Department of Education's Bureau of Special Education is recommending that Greenwich review how it writes and updates individualized education programs for special education students, and how they are distributed to parents. Kutai's was one of three complaints filed by parents in which the bureau identified violations and outlined corrective actions.

Parents and attorneys interpret the state's districtwide recommendation as a promising change in approach that could mean more attention from the state toward Greenwich's Department of Special Education.

"When we filed our violations with the Connecticut State Department of Education, we were looking for justice for our daughter," Kutai said. "We never expected that her case would help scores of other children throughout the Greenwich Public Schools."

The state is taking a more assertive role for the first time, according to special education attorney Andrew Feinstein. "In the Kutai complaint, they order districtwide remedies, and that is something previously unheard of," Feinstein said. "We're seeing a pretty substantial change in what state is willing to do."

In a statement in response to the case, Pupil Personnel Services Mary Forde said, "We take every question, concern, formal complaint and general inquiry from parents seriously. Although we cannot comment on individual complaints, we respond to all required Corrective Actions and we review and incorporate recommendations as needed."

The recommendation seems to indicate a change in policy that Feinstein said he is seeing in other Connecticut towns and cities. In Norwalk, he said, the state investigated the public schools in response to a complaint filed on behalf of 14 Norwalk students, by two special-education lawyers and one advocate. After parents complained about that the handbook used by the Oxford Public School district for evaluating students was unclear, inaccessible and incomplete, the state created a template handbook for districts to use.

"There is this change that is taking place," he said. "The change may not be Greenwich-specific; however, with these last three complaints, I don't think there is any other way to read this than that the state is taking a close look at what is happening in Greenwich Public Schools, and is concerned about that."

But according to a spokesperson for the state education department, the state is not taking a new approach.

"Where it is appropriate, complaint reports include recommendations that are designed to improve practices in a school district, whether broad or narrow in scope," spokesperson Peter Yazbak said.

Filing a complaint, with the state education department or the federal Office of Civil Rights, is one option parents can take if they believe their district is not providing their child with a free and appropriate public education. The other option is due process, a lengthy and expensive experience that involves hiring a lawyer and attending hearings with state officers, the district and its lawyers.

Parents can spend upwards of \$100,000 for due process, especially if they end up losing and paying the district's legal fees. They also sign nondisclosure agreements, meaning that parents risk losing the services their child was awarded if they speak openly about their cases.

Over the last 15 years, Greenwich parents and attorneys have filed at least 16 complaints with the state education department, but staff who searched for every complaint pertaining to Greenwich could not locate all of them, state education department attorney Laura Anastasio said in response to an FOI request.

These complaints, dating to 2009, reference similar problems that parents currently in the district included in their letters to the state.

Daniel Eddelstein, a parent in the district a decade ago, whose son is a graduate of Greenwich High School, filed a complaint with the Office of Civil Rights and with the state Department of Education.

When he read about the concerns current parents have, he told Board of Education members in a meeting on Thursday, "I felt like I was in a time warp."

"These issues are not new," he continued.

More recently, Greenwich parent Kristin Zisson filed a complaint with the OCR because she found discrepancies in a handbook for determining students' eligibility for accommodations for students with disabilities. The office investigated the district, which had to update its handbook in response.

A handful of parents of Spedicated Greenwich, a local support group for parents of children with special needs that banded together this summer, decided to take the route of filing state complaints, which is free and does not forbid them from talking. They submitted them collectively in August, and decisions on these letters are trickling in.

In the case of Kutai's daughter, , the bureau found that the district did not use data to make informed decisions about her IEP and wrote weak educational goals for her to achieve.

These findings cast into doubt the appropriateness of the services she was receiving, and the bureau told the district to design a new program, with input from an independent evaluator. It mandated training for the teacher in the case of Kutai's daughter, and the bureau said it reserves the right to order services to compensate for the district's inappropriate IEP.

Kutai said she did not ask for financial compensation, but the fact that the state reserved the right to order compensatory services, such as tutoring, reveals the magnitude of the violations.

Kutai said she is glad her complaint drew attention to more than violations of her daughter's civil rights.

"It is a tremendous victory not just for our family, but for all special education families in this district," she said.

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# Special education parents blast reopening plan for Greenwich schools



Ken Borsuk\_Aug. 15, 2020 Updated: Aug. 15, 2020 5:31 p.m.

## Comments

GREENWICH — As the Greenwich Public Schools work out a plan for reopening classrooms during the COVID-19 crisis, parents of some special education students say they fear their children's needs have not been fully taken into account.

But school administrators say they will follow individual education plans, which are created for each special education student, to the "maximum extent possible."

The 34-page reopening plan has been posted online. It explains how all elementary and middle school students will return Sept. 9 for full-time in-person instruction with new safety procedures in place in the buildings. Greenwich High students will take part in a hybrid reopening, with a split schedule of both in-class and remote learning.

But some special education parents say the plan does not go into enough detail. They also say it will force changes to IEPs and doesn't provide adequate staffing to meet the needs of their children.

Any changes in a student's plan will be communicated to parents in writing, said Mary Forde, the district's chief pupil personnel services officer.

Of particular concern to special education parents is one measure designed to limit student interactions. To mitigate the spread of the coronavirus, student movement in the buildings will be limited by keeping them in assigned groups known as "cohorts." The cohorts will include special education and mainstream students. Parents fear their children will have to spend more time in mainstream classes than previously thought beneficial.

In other special education changes, the work of specialists such as speech and occupational and physical therapists could be affected by coronavirus precautions.

Any changes would become part of a new plan that would have to be approved by parents, Forde said.

Diana Martinez Rasekh, a parent of two in Greenwich and a teacher in Norwalk, said other districts have made better plans that better prioritize completely returning special education students to their IEPs.

"We won't be able to meet the needs of every student evenly this fall," Martinez Rasekh said. "This is heartbreaking. Trying to meet everyone's needs at once could force us back into remote learning sooner rather than later. But in the absence of being able to meet the needs of all, we should give each child the size of the crate they need to be able to look over the fence."

### **Parents demand more**

A group of parents have weighed in, calling Greenwich's school re-entry plan "shameful" when it comes to special education.

The plan does not provide nearly enough teachers to meet the needs of special education students, exacerbating an existing problem that special education parents have brought up many times in the past, members of the group have said.

"This is a direct violation of children's rights" under the Individuals with Disabilities Education Act, said parent Jennifer Kutai.

"Under the plan put forward by GPS, this will only worsen for our most vulnerable population. This is in stark contrast to what is currently being offered to our most gifted population under the new plan," Kutai said, referring to the Advanced Learning Placement program. "While we commend the plans for the advanced learners, we demand an equitable plan for special education children."

On Thursday, Forde and Superintendent of Schools Toni Jones said that while the service delivery model may look different under the pandemic planning, any changes have been made for the safety of the students.

"Our administration will work individually with families to ensure services are delivered safely and to the maximum extent possible," Jones and Forde said in a joint statement.

In comparing special education to ALP, Jones and Forde said, "It is difficult to compare two very different programs, and both programs are needed to meet student needs. Special education students often receive (one-on-one) services, and ALP services are provided in group settings. Cohorting has called for a new way of thinking to keep our students safe."

### **Speaking out to school board**

The parent group also expressed frustration that the Board of Education, which holds its meetings over Zoom due to the pandemic, has not returned a public comment period to its meeting agenda. That prevents them from bringing their views directly to the school board, the parents said.

The Board of Education discussed special education at its meeting Monday and will continue the discussion at a meeting Aug. 20.

Forde in the meeting discussed the challenges of serving all kids at a time when they cannot move around the classroom and the school building as they once did.

“Our first goal is to keep students as safe as possible,” Forde said. “We also want to make sure we are making the general education classroom available to students and that as much as we can stay with the services that we had (pre-pandemic).”

### **School board reaction**

Board of Education Secretary Karen Hirsh, a member of Jones’ return to school planning team, raised concerns on Monday about staffing levels for special education. She said proper staffing is “more important than ever.”

“I am a supporter of our Advanced Learning Program, as they, too, are a group with specific needs, however, it is exceptionally important that we support students who are the most vulnerable,” Hirsh said.

Forde told the school board there must be changes in how services are delivered due to the threat of the virus. That includes putting the special education students, as much as possible, into cohorts, to cut down on interactions, she said.

Board of Education Chair Peter Bernstein said “progress has been made on many fronts for the education of all of our students.” But he said there are still challenges to overcome, specifically noting the needs of special education students.

“I certainly hope there will be more communication and dialogue between the administrators and parents of our special education students on how best to provide the much needed services as we transition back to the school years,” Bernstein said.

Jones said on Thursday that, “At all future meetings we will work to ensure that we are very clear that students with IEPs will be provided with the services they need to receive free and appropriate public education. The goal is to provide these services in a way that keeps everyone as safe as possible. We will be communicating with all families as soon as the staff and student preferences for remote learning/remote working are analyzed, and grouping decisions are made.”

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# Our resources are stretched: Greenwich school board member concerned about special ed staffing



Ken Borsuk\_Sep. 7, 2020 Updated: Sep. 8, 2020 10:26 a.m.

## Comments

Board of Education member Karen Kowalski shares parental concerns about the level of special education staffing, saying it was an existing issue that can only be exacerbated by the pandemic.

Photo: File / Matthew Brown / Hearst Connecticut Media

GREENWICH — As students head back to school this week, the Greenwich Public Schools still need to hire more special education teachers — and one school member expressed concerns about the district's ability to meet the needs of special education students.

Board of Education member Karen Kowalski said the problems existed long before the coronavirus pandemic.

"I've always been concerned that we were short on special ed teachers in this district, across the board," Kowalski said. "That has been a complaint for parents, and I believed we did not have an adequate set of resources. Then you add COVID on top of it and our resources are stretched even more."

There are six remaining openings for special education teachers, and the district is working to fill the positions, Superintendent of Schools Toni Jones and Chief of Pupil Personnel Services Mary Forde said last week in a joint statement.

The school district has come under fire in the past scholastic year from parents who began speaking up at school board meetings about problems in the Special Education Department. At two board meetings, teachers from the Greenwich Education Association union complained of a lack of support they feel in special education.

A general study of all special education services offered by the Greenwich Public Schools is in the budget for 2020-21.



Greenwich Public School Superintendent Toni Jones says that this is an issue that the district will continue to monitor closely.

Photo: File / Jo Kroeker / Hearst Media /

As the schools prepare to reopen for in-person instruction for the first time since mid-March, some parents of special education students have said they feel their children's needs have not been fully taken into account and that there is not adequate staffing for special education.

If there are not enough special education teachers for the 15 schools in the district, Kowalski said, what is the solution with the remote learning program during the pandemic essentially creating a 16th "virtual school"?

Special education students all have individualized education programs that must be followed, she said. Kowalski said she is concerned that some of those plans cannot be met due to a lack of resources.

"I am afraid we are setting ourselves up as a community and as a district as a failure, not to mention we are doing a genuine disservice to our children," she said.

These and other concerns about special education services have been raised by several board members, but Kowalski expressed frustration about the apparent lack of solutions.

"We are continuing to push, but sometimes I feel as though my hands are tied behind my back and I'm treading water, which is very difficult to do," she said. "No matter how much we figuratively yell and say things have to change, it's not changing. That's a problem. The community has said it needs to change."

Jones and Forde said last week that the district remains focused on special education during the complex planning for the new school year.

"This time of the year is always challenging to adjust for staff," Jones and Forde said in a joint statement. "We are going through our usual process and making sure that as new students enroll and as students move away from GPS, that we are recalculating and making adjustments as necessary. If needed, we mobilize district staff members as we always do in order to make sure our caseloads are covered."

With the six openings for special education teachers, Jones and Forde said the district's Human Resources Department is "very active (and) helping to get candidates processed as quickly as possible."

"Each year the number of hires are determined by the caseload requirements of children," Jones and Forde said. "The remote school and face-to-face are still managed by GPS staff. We have an adequate number of positions available at this time to meet the needs of our students. We do have a few positions left to fill, and we are working quickly to process candidates."

If more teachers are needed in the school year, they pledged to "make those adjustments." As for the individualized education programs required for special education students, Jones and Forde called

them “the foundation of which services will be provided” and pledged to work with families collaboratively “in regards to their student’s services.”

Staffing problems nearly caused a delay in the start of school for Greenwich’s elementary students. On Aug. 28, Jones sent a notice to parents saying the district did not have enough substitute teachers and classroom monitors available.

But at an emergency board meeting held Aug. 31, Jones said the delay was no longer needed because of a surge in applicants for the open positions.

School board Chair Peter Bernstein also shared his concerns about staffing levels as schools are set to reopen Wednesday.

“The administration noted at our meeting on Aug. 31 (that there were) several staffing challenges, specifically including special education, and discussed several plans to deploy staff around the district to meet needs and hire additional staff and substitutes as quickly as possible to ensure appropriate staff is in place to provide services,” Bernstein said.

“We know special education staffing is a challenge in the region and hope the administration will continue their efforts to identify additional staff as needed,” he said.

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# Savings in Greenwich school budget might cover special education overruns



Ken Borsuk\_April 14, 2020 Updated: April 14, 2020 5:04 p.m.

## Comments

BET Budget Committee Chair Leslie Tarkington, seen here in February, and the other members of the committee voted unanimously on Tuesday to defer consideration of a new request from the Board of Education to May. Money may be available within the existing budget to cover the new costs, which includes more than \$1 million for special education.

Photo: Tyler Sizemore / Hearst Connecticut Media

GREENWICH — The additional funds once-thought needed to cover a large gap in special education services in the current school budget may not be so necessary after all.

Like the Representative Town Meeting's Education Committee, the Board of Estimate and Taxation's Budget Committee voted unanimously Tuesday to recommend deferring consideration of the request from the Board of Education for \$1.2 million until May.

The full BET and the RTM had been scheduled to look at the request April 20, but the need is no longer as pressing as school spending declines due to the coronavirus outbreak. The town's public schools have been closed since March 12 and they are expected remain closed at least through May 20. That has resulted in cost savings for the school district in some areas, including transportation.

The money needed to cover legally mandated out-of-district tuition costs for special education students might be found within existing savings. The Board of Education agrees that waiting until May makes sense.

"We've got a lot of balls in the air right now," Sean O'Keefe, the district's chief operating officer, told the Budget Committee on Tuesday. "I think the RTM and the BET recognize that it may be worthwhile to put this request off to May now that we know May is a viable alternative."

The cost of running buses is \$50,000 a day, O'Keefe said, so that area could bring "substantial savings."

But the amount of savings is unknown, because Gov. Ned Lamont has ordered school districts to reopen their contracts with transportation vendors to ensure that drivers are paid and have benefits during the crisis. Even while paying wages and benefits, O'Keefe estimated the district could save \$700,000 to \$1.4 million, which could be applied to budget shortfalls.

"That would not only include home to school but (transportation to) private schools, athletics, field trips, special education transportation and so on," O'Keefe said. "We are looking at other areas unrelated to transportation like energy and utilities and substitute teachers, and we instituted a limited expense freeze back in February. We're expecting to see some savings from there."

The funding gap for outplacement tuition costs had been on the Board of Education's radar since December, O'Keefe said. "Obviously since that time a lot has happened in the world," he said.

The \$1.2 million request wasn't only for special education. It also included \$40,000 for overtime costs for the deep cleaning needed in the school buildings to respond to the coronavirus outbreak as well as \$40,000 for the continued shoring up of the temporary bleachers at Cardinal Stadium.

Under questioning from Budget Committee member Jeff Ramer, O'Keefe said the \$40,000 for overtime was an estimate. There have been no additional overtime costs since the first two weeks of March, when \$18,000 was spent, he said.

The \$1.1 million allocation was to address the funding deficit for special education in the current fiscal year's budget, not the larger issues that have been raised by special education parents in the district. Some parents have been calling for reforms in the delivery of special education in the school district as well as increased funding from the town.

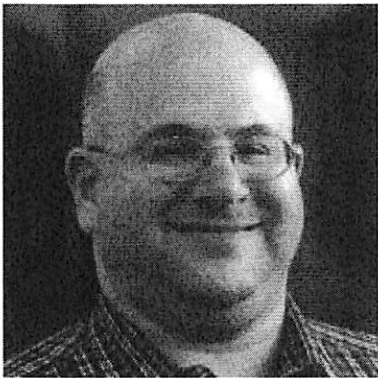
Further discussion on the special education issues will be included in the ongoing work on the 2020-21 municipal budget plan, which is expected to be heard at the April 21 public hearing on the budget. The full BET will vote on the 2020-21 budget on April 27.

O'Keefe told Budget Committee member Leslie Moriarty that the school board anticipates a similar cost overrun for out-of-district tuition next fiscal year and estimated it could total \$1.5 million.

"It is a big hole in your budget — and if that's not filled within the budget process, that puts pressure on you going into the new year," Moriarty said.

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# Residents urge more spending for special education while RTM eyes budget cuts



Ken Borsuk\_April 22, 2020

## Comments

The BET has approved the mill rate for 2020-21, ending the discussion, for now, on the 2020-21 budget.

Photo: Tyler Sizemore / Hearst Connecticut Media

GREENWICH — Despite not meeting in person due to the coronavirus, the Board of Estimate and Taxation was still able to hear directly from the public this week as decision day approaches on the proposed municipal budget for 2020-21.

The BET will vote on the proposed \$459 million budget for the town of Greenwich on Monday.

The finance board met via the video conferencing Zoom app on Tuesday night. Members of the public who took part included a number of parents who pushed for more money for special education.

“When it’s safe for everyone to go back to school, our special needs children will need something equivalent to an educational equity stimulus package,” said Diana Martinez Rasekh, a special education parent and a former district teacher. “We need you to do more than just fund special education in our usual half-hearted way. We need you to work to level a playing field that was never level to begin with but which now has crumbled beneath our feet.”

The budget plan for next school year includes \$5.4 million to cover out-of-district tuition costs for some special education students and \$60,000 for an audit and review of the school district’s special education program. And Superintendent of Schools Toni Jones and the Board of Education have indicated to the BET that those amounts will likely need to be increased.

Rasekh said the need for increased special education funding is even greater than usual given the closure of schools and loss of services due to the coronavirus.

“While all children will regress and lose skills as a result, our children will regress at a faster rate and take longer to regain the skills they’ve learned,” she said.

Her pleas were echoed by several parents, with many telling the finance board about their own personal frustrations with a program they long have felt is not providing for their children.

“Parents have provided ample evidence of insufficient support of their children with special needs,” parent Caroline Lerum said, reading a letter from other parents and community members. “This is a direct result of the program being underfunded.”

School safety and security also came up during Tuesday’s public hearing with some speakers calling on the BET to spend more in that area. Jaimie Voehl, a parent who said she represented a group of more than 200 others, called for “the most current and comprehensive security measures in place” including security guards, cameras and monitors throughout schools and scanned security tags for all staff and visitors.

A new playing field at Central Middle School was a topic of debate, with some backing a plan by First Selectman Fred Camillo to install a new natural grass field at the school, and others behind a Board of Education-endorsed option for a hybrid grass and turf field. The BET will have to decide which option, if either, goes forward in the 2020-21 budget.

“It’s doubtful that anyone would disagree with the position that Greenwich needs more sports fields, however lobbying for artificial turf fields at Central Middle School implies disregard for the data and the advice provided by scientists and physicians,” Susan Rudolph said. “It implies that those who are okay with artificial turf are buying into the belief that any harm or injury not evidenced immediately does not exist.”

Supporters of the school board’s plan noted the lack of available fields in town.

“We have to make the best use of the space we have and the hybrid option provides the best return on investment,” resident Bob Strassel Jr. said. “We don’t want to have to tell our kids, ‘Sorry you can’t play sports today because we don’t have enough fields.’ That’s the current state of where we’re in now.”

But overall the dominant message throughout the hearing wasn’t to spend more, but less.

Several members of the Representative Town Meeting called on the BET to cut the budget, including by canceling new capital projects, and to lower the mill rate to reflect the “current realities” created by the coronavirus outbreak, which happened after Camillo presented his proposed budget in January.

“We need to examine our spending and find places to save money to offset what are likely to be dramatic reductions in revenue,” said Brooks Harris, an RTM member of District 10. “Residents are facing losses of both income and retirement savings so we need to help by keeping taxes as low as possible.”

District 7 member Kim Fiorello later added, "Only with a limited government with some fiscal restraint can Greenwich truly prosper. I urge you to look for operational cost reductions and rigorously reevaluate capital projects to make fair across-the-board reductions."

Members of the public made similar arguments. "Don't think for one minute that (an economic crisis) isn't going to hit Greenwich and all the towns around us," resident Warren Silver said. "If there's any time to be fiscally conservative, now is the time."

The BET will meet on Monday at 9 a.m. to discuss and vote on the budget. The meeting will be streamed via Zoom at [www.greenwichct.gov/virtualBET](http://www.greenwichct.gov/virtualBET).

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## Bob Horton: Too many stories of special ed failures

Commentary June 8, 2019

### Comments

Greenwich Time columnist Bob Horton

Photo: File / Hearst Media Connecticut

GREENWICH — I started writing a column for this newspaper almost 10 years ago, and I hear frequently from parents with one nightmarish story after another about the difficulty of navigating the special education services world in Greenwich.

A student who cannot read, but has been promoted every year since kindergarten, and now also suffers from depression and other mental illnesses. Elementary school children who were denied special needs evaluations for several years, and now are way behind their peers academically and have behavioral problems.

These are not isolated instances of children falling through the cracks of an otherwise effective special education system.

The stories come from all corners of town, and all levels of school. Each time parents tell me one, they then insist on my not using their names, because they do not want to add to their child's pain or further embarrassment, and, they say, because they fear retribution from administrators.

This is not a small problem. Approximately 1,000 kids, that is, one out of every nine Greenwich Public Schools students, are certified to receive some form of special education service, be it extra hours of

class time, reading specialists or the full attention of a paid professional assistant. The diagnoses range from dyslexia and ADHD to more severe emotional and physical ailments. And, special education consumes roughly 25 percent-30 percent or so of the school system's annual \$150 million operating budget.

Parental dissatisfaction with special education is not a new phenomenon in town; three times in the last eight years (or through six superintendents) the school board has commissioned a review of how Greenwich delivers special ed. That the school board asked to have the same subject reviewed three times in fairly rapid succession indicates that no one really has a handle on what the problems are or how to best address them. The third review was requested at the end of school year 2018. No report has been forthcoming, nor has the board asked for a presentation. How's that for futility? When the town changes superintendents every year, troublesome reports and other school board requests are conveniently forgotten.

But there are signs that disgruntled and frustrated parents are reaching a tipping point that might finally get the attention of administrators and the Board of Education. I saw an email thread this week in which a dozen or so mothers were sharing their special ed horror stories, and suggesting that they find a way to leverage the strength of their numbers. Meetings are being organized, stories shared, and a class action lawsuit suggested.

It would somehow be very appropriate if it took a class action lawsuit to clarify what services the town has to provide, where it needs to provide them and at what cost. The special ed process is not at all transparent, and many parents only get the attention of the district when they hire a lawyer. This gets expensive very quickly, and many families do not have the money to pay a lawyer. A class action effort would spread the costs around, but it is also a long process with an uncertain outcome.

Given the steady drumbeat of complaints about special education, one has to wonder how the Board of Education can condone what appears to be a very contentious, adversarial relationship between parents and school administrators. I hope the moms who email get together and take action. Women have changed the Greenwich political scene in the last two years; maybe they will also change the educational system. Too many kids have been underserved for too long. How many more lives have to be stymied from the start before the school board wakes up and finally fixes what is a very broken system?

*Bob Horton can be reached at [bobhorton@yahoo.com](mailto:bobhorton@yahoo.com).*



## Bob Horton: Parents finding their voice on special education

When school officials recently announced the end of school bus service to a Greenwich private school that specializes in educating children with language-based learning difficulties, they unwittingly tapped a vein of resentment, frustration and anger among parents who have struggled mightily for years to get their children the educational services they need.

This week, the school board got an inkling of just how deep that painful vein runs. About 30 parents, students and staff of Eagle Hill School vehemently protested curtailment of bus service for Greenwich students who attend the school.

But if any school board members thought transportation was the only issue people are angry about, then they have not been seeing the bigger movement forming in front of their eyes.

Also in attendance at the board meeting were other parents whose children require alternative learning environments. They painted a picture of systemic issues with how the town administers its special education responsibilities and manages its resources.

The stories told Thursday night were of the same genre heard by any parent who has had children in Greenwich Schools for the last 15 years or so since federal legislation made it a local responsibility to meet every child's educational requirements. They were heartbreaking stories of neglect by administrators, and how Greenwich Public Schools have created an unnecessarily adversarial, and expensive, process for parents to get results for their children.

While the stories were not new, their telling in public was a huge shift for Greenwich parents. For years people have refused to put their names to stories because, they told me, they feared retribution from Greenwich Public Schools. But now they are coming out of the shadows to speak. These parents seem to be finding their public voices. They are learning there is strength in numbers and they intend to demand change and a more collaborative approach between parents and the schools.

The school board promised Eagle Hill parents and staff that it would convene a special meeting this summer to consider reinstating its school bus services. I think the board will direct administrators to put the school back on its bus routes. They also voted to put money into the 2020-21 budget to audit special education services — money that was taken out of the coming year's budget.

But it is not clear if the board yet understands how serious parents are about fixing the broken special education system.

Last week I wrote, in part, about how the professionals in the Havemeyer Building often have refused to evaluate children, which is the first step in qualifying them for special education services. Parents are entitled to get an independent evaluation, but Greenwich rarely accepts any findings that don't agree with their own.

The awful shame in failing to even evaluate kids early on is that difficulties are so much easier to address in the very first years of school. And unmet needs can create emotional and behavioral issues that fundamentally change lives.

As a minimal first step, the town should have mandatory evaluations for all kindergartners and first graders. Take it out of the teachers' hands to identify students. And as conscientious as most parents are, they are not expert in what might be causing their child to "be behind" his or her peers.

But the fundamental shift in Greenwich has to happen at the school board level. These elected leaders have to make special education a priority. They have failed to do that despite attempts in the last 10 years to at least review the special ed office to get a base level of understanding about its performance and what impact it has had on students under its care. When one out of every nine students is getting special education services, and many more are denied, the school board has to know how the program is performing. It should be reviewed every year, and not just by a report about numbers and compliance with federal and state laws. GPS should know what the quality of those services are and what impact they are having on these students.

Special education is a tough issue, and one that every city and town in the country wrestles with. It is hugely expensive to provide every child with the services he or she needs. It is very expensive to even truly understand how big the needs are. But trying to control spending by arbitrarily denying services to some, while providing services to those who can afford expensive lawyers or leverage political connections, breeds contempt for the school system and does irreparable harm to countless young people.

*Bob Horton can be reached at [bobhorton@yahoo.com](mailto:bobhorton@yahoo.com).*

# **BOE Forum Touches on Personalized Learning/Screen time, Achievement Gap, Superintendent Retention**

By: [GREENWICHFREEPRESS](#) | October 16, 2019

[Email](#) [Print](#)

On Tuesday night the League of Women Voters hosted a forum for the Board of Education candidates at Central Middle School.

There were about 40 in the audience, a far cry from the crowd at last week's Selectmen debates.

Whether that was because all but one seat on the board are guaranteed or because people were home watching the national debate among Democratic Presidential hopefuls is anybody's guess.

There are three Democratic candidates for two seats – Gaetane Francis (incumbent), Christina Downey and Karen Hirsh.

The other candidates – Republicans Joe Kelly and Karen Kowalski are assured spots on the board.

Moderator Jara Burnett said the questions had funneled through PTA Council from individual PTA's in town.

There were no opening or closing remarks, but the final question to the candidates was whether there was question that should have been asked but wasn't.

Candidates took advantage of the chance to introduce themselves list priorities.

Several candidates said they were surprised they had not been asked about playing fields or food service, both hot button issues in town.

Karen Hirsh said, “We need more fields in town. They need to be safe and properly maintained. I was surprised we weren’t asked about food because students need access to the best quality foods. A hungry student is not available for learning.”

Joe Kelly said he’d have liked to have been asked his motivation for running.

He said often the Board of Education is a lightning rod for criticism in Town.

“Luckily I have thick skin,” he said. “That gives me the ability not to worry about people criticizing me, but to also keep an ear open to listen to the criticism. I’ve been a volunteer firefighter, a coach, been on sports boards, neighborhood boards, and working as a coach it was so exciting and thrilling that you entrusted me to work with your kids.”

Kelly said after years of coaching, a seat on the board would be a step up. “I don’t mind a lightning rod position. I’ll put the kids’ well-being first,” he said.

Karen Kowalski said she would have liked to talk more about both food and fields. Kowalski, a ten year Greenwich resident with three children in Greenwich Schools, is a prosecutor.

“I wanted to feel more involved in helping shape the education of my own kids,” she said.

Gaetane Francis, an incumbent seeking another term said she’d decided to run for a second term as a way to support the new superintendent, Dr. Toni Jones.

Dr. Francis, whose younger son is a senior at GHS, said school safety is an issue that hadn’t come up in the forum. “We’re working on that policy now,” she said, adding there’s been a lot of work from the superintendent behind the scenes.

Dr. Francis is a physician who is on the Greenwich Hospital Executive Board.

Christina Downey, who has a background as an attorney and RTM member, said 26 years ago she and her husband selected Greenwich to raise their three children based on the great public schools.

“Greenwich Public Schools provided an excellent education to prep them for college and careers,” she said.

A question about the biggest issue facing the school system focused on achievement.

Ms. Kowalski said for several years achievement has been stagnant while Greenwich has the highest paid teachers in the state and pays the most per pupil.

Dr. Francis pushed back, saying, “Everyone is here for student achievement.”

Ms. Downey said, “Achievement is a perennial issue, but we need to focus on the master facilities plan. We now have the blueprint to make our schools truly excellent schools. I want the 15-year plan to be a focus.”

Ms. Hirsh said achievement is the mission of Greenwich Schools.

“Half of our issues are a lack of communication. If we don’t explain how board decisions are made, that leads to confusion. Special education has also been a concern for a long time. And our facilities. We need our town facilities to be ADA compliant and we need to focus on program reviews.”

### **Superintendent Retention**

It was noted multiple times during the forum that she is the fifth superintendent in five years. Candidates were asked whether it would be their responsibility to assure stability?

“The board should support the superintendent but also not give her carte blanche,” Ms. Downey said. “Acting in a collaborative fashion is important. Being respectful, positive and collaborative, we can put the superintendent issue behind us.”

Mr. Kelly said that in his career on Wall Street he’d spent several years on management. “You can’t run a proper organization with a revolving door,” he said.

Ms. Hirsh said Greenwich is not an easy community to work in. “We have high expectations for both students and staff. We have a high bar for excellence. We need to change our mind sets. We should focus on retention, not turnover.”

Mr. Kelly said that if a corporation had five CEO’s in five years, the stock price would not be doing well.

“Why are we struggling? The BOE has one employee, picks the superintendent and all of a sudden the person is leaving. Something is wrong either in the selection or retention process. Now we as Board of Education members will have to make sure that super is given every tool possible to do their job. Plus also make sure if she is not doing her job that we identify that. Our role is to make sure the super can get the job done.”

### **Narrowing the Achievement Gap**

After a question about narrowing the achievement gap, Ms. Downey said a number of methods had been tried and were unsuccessful. She recommended expanding the pre-K

program. “There are many studies that show the gap exists when children arrive in kindergarten.”

Ms. Hirsh said it is important for parents to support education at home. And, she said, “A main factor in reducing achievement gap is making sure every student has an adult in the building they can connect with.”

Ms. Kowalski said parents need to be involved and there needs to be good communication from school to home. “I don’t think a six hour school day will catch all the kids up,” she said.

Dr. Francis and Mr. Kelly defended the efforts of teachers and staff to close the achievement gap.

“Greenwich Public Schools deserves a pat on the back. ...Look at Western Middle School’s amazing work. We’ve done a lot of great things with our high need students.”

Mr. Kelly said that growing up he was one of six children with its own achievement gap.

“Three kids could barely read because they were called dumb back then and put in a lesser group and ignored,” he said, adding, “The other three were top students who went on to higher education. Even the ones who could not read well, the lesser students, did very well.”

Kelly said his family had recently taken in a child who needed a home for a few months and he was impressed the way Greenwich Schools were proactive and organized meetings on that child’s behalf.

“My family got ignored and called dumb. It’s incredible how far we’ve come. Kids learn in different ways.”

## **Personalized Learning and Screen Time**

There were questions about personalized learning and quantity of screen time.

Ms. Hirsh said the district needs to conduct a “deeper dive” along the issue of screen time.

“We don’t have a good sense of how our students are utilizing these devices across the district,” she said.

Mr. Kelly said he developed an appreciation for personalized learning as a coach. “Every kid plays differently, every kid responds differently. We don’t coach them all the same way.”

On the topic of digital learning, Dr. Francis said, “Digital learning has huge potential and we’re tapping into it. It’s amazing to see children find original work on their own,” she said. “Never should it take over from active learning. I’m also a proponent of project based learning.”

Ms. Downey said the district had invested heavily in technology but that the investment is relatively recent.

“When my kids were in elementary school and middle school, the devices did not exist. We don’t know how much time is appropriate,” she said, adding that it is important to monitor usage and content. “It’s about balance.”

Hirsh said that with the introduction of devices kids don’t have to lug around heavy textbooks. “But now I can’t look and see what my child is learning,” she added. “It’s time for the district to look at a policy for screen time and digital wellness.”

### **Issues to Be Addressed**

Responding to a question about what issues the district should address, Ms. Downey said, “The board is supposed to be about policy governance and setting standards, but not getting into the minutiae. There is a danger in Town that the Board of Education is looked to for answers. But the board is the overseer and the superintendent is the single employee in charge of academic programs.”

On the topic of special education, Dr. Francis said the new superintendent has a background in special education.

“I know there are a lot of people with good things to say about our special education program, but there is room for improvement,” she added.

“There are a lot of special education parents who came forward with stories that were very hard to hear,” Ms. Downey said, referring to the September BOE business meeting where many **special education parents voiced their frustrations.**

“A substantial number of students in the district qualify for services and have a wide variety of needs,” she continued. “Every child should feel valued. The community can be the pulse of what’s going on, and it sounds to me that we do need to consider another special education review....The next review should be really objective.”

Ms. Hirsh said she had children with learning differences and that her own mother was a special education teacher.

“We must address the needs of every single student. ...Reviews of the special education department have occurred, but we’ve been missing an active plan....We have to start the identification process early,” she said.



Mr. Kelly said by its nature special education will always be criticized.

Ms. Kowalski said, “Having a superintendent with a special education background – we need to leverage that. We need an action plan with substance and boxes we can check. We need to eliminate road blocks to parents in getting those needs met for their children. We need to assess the problem overall and make sure each child walks into and out of the school day feeling special and they are learning and motivated.”

# **SPEDucated Presents: Q&A with Dr Toni Jones, Greenwich Schools Superintendent**

By: [GREENWICHFREEPRESS](#) | November 24, 2019

Email [Print](#)

Parents of children with disabilities are invited by SPEDucated, SPEDucated, a support group for families of children with disabilities., to attend a Q&A session with Dr Toni Jones, Greenwich Public Schools Superintendent on Dec 3 at 7:00pm.

SPEDucated is an independent community support group committed to providing information to families of children with disabilities.

They encourage parents of children with disabilities to attend the session, make their voices heard, relay concerns to Dr. Jones and have questions answered.

SPEDucated offers a place to connect with other parents in the community to find out about local, state and federal resources and related services to help parents educate their child. The group is for parents of school-aged children in both public and private schools, from PreK through high school.

SPEDucated Greenwich is not a legal advocacy group.

The event will be held at First Church, 108 Sound Beach Ave, Old Greenwich, in the Chapel in the Meetinghouse

# Bob Horton: Dishwashers can't remove stain of a lagging education

Jan. 18, 2020

Greenwich Time columnist Bob Horton

Photo: File / Hearst Media Connecticut

There is one column I have been wanting to write since I started this journey 11 years ago. The headline would have read, "Western Greenwich Elementary School Students Close Achievement Gap."

As I just demonstrated, I am not a headline writer. But the column under that leaden headline would have celebrated New Lebanon and Hamilton Avenue elementary schools finally sitting atop the state's best schools list, joining other Greenwich schools that routinely achieve that distinction.

I am no closer to writing that story than I was all those years back. Instead of closing the gap, those two schools are reliably found each year in the ranks of the bottom third of all Connecticut public elementary schools. That means more than a thousand students from western Greenwich have not received the early education they deserved in the last 11 years, and long before that. What those students do not learn in elementary school makes it harder for them to keep up in middle and high school. That disadvantage stays with many as they enter adulthood and the job market.

I write about Greenwich every week (almost), but the same story could be written about public schools in cities and towns around the state and across the nation. School performance tracks with zip codes; the more affluent the zip code, the better the schools perform. This is not to say that the curriculum or teachers are necessarily better in more economically advantaged zip codes. But it is true that parents in affluent zip codes can afford private tutors, private music lessons and private athletic trainers and coaches. These parents will not accept poorly performing schools, and have the time and resources to hold school administrators responsible.

Since the late 1960s, Connecticut has tried to address unequal educational opportunities and results through racial imbalance laws. If a given school's population is seriously out of synch with the make-up of its town's or city's general population, the offending district has to present, for approval by the state, a plan to adjust the population.

But the state has no penalty for failing to meet racial balance requirements, so all that happens is plans get approved. Plans fail. New plans get approved. New plans fail. And in Greenwich's case, more kids from the less affluent parts of town do not get the basic education they need.

But my real point here is not to debate the educational benefits of school integration.

No, my real point in writing about chronically underperforming schools in Greenwich is to bring up dishwashers. That's right. One of the burning questions among the political cognoscenti in town is whether each school should have its own commercial dishwashing equipment or whether the service should be provided to all schools by a central dishwashing location - a sort of Splash carwash for school dishes.

I have spent the last hour or so reading emails and documents from the Food Services Committee, a group created in 2015, though I am still not sure which town body did so. Its members now include representatives from the school board, the Board of Estimate and Taxation, the PTA Council (a sort of uber-PTA group with members from every public school) and the Representative Town Meeting. It even used to include newly-minted Selectwoman Lauren Rabin, who joined the committee when she was on the school board. She is no longer on the Food Services Committee.

Rabin is, however, one of four people who recently sent a letter to School Superintendent Toni Jones, calling her to account for not taking dishwashers and the members of the Food Services Committee seriously.

"We were disappointed that you did not accept our request to discuss the proposals for reusable wares and dishwashers," Rabin wrote. "A meeting would afford an opportunity to review together the documents that the BOE requested from the Food Services Committee and to share in person the extensive research we have conducted, including related studies, dialogues with other school districts and consultations with EBP Products, the Department of Health and the DPW (department of public works)," she continued.

Rabin attached two documents to the letter, one of which ran for five, single-spaced pages, and asked a series of questions about individual school dishwashers vs. a central facility, transportation of (presumably) dirty dishes to said facility, and the operational and administrative costs of various plans.

The more I read, the more I thought about those kids who live on the western side of town not getting the services or education they need.

"As expressed many times, we would appreciate a process of engagement and transparency," Rabin wrote. "However, your decision to include the committee only at the conclusion of the process again sidelines our team, rather than engaging us throughout in communications and decision making."

I am glad there are so many people willing to devote hours and hours to running an efficient and environmentally aware dishwashing and school flatware and food tray operation. Seriously. But I could not help thinking: Where is the official outrage about Hamilton Avenue and New Lebanon significantly underserving their students? Where is the demand for accountability, access, and results when those kids are denied special education services, or the school fields in western Greenwich closed for public safety and/or health reasons? Why is there no joint committee from the most

powerful boards in town trying to find out what is standing between these kids and a good education? Where is the demand for engagement and transparency in education?

As I have written before, I respect anyone who devotes time to public service. I just wish inferior education got the same devotion and commitment as dirty dishes and reusable utensils.

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## Parents bring special education fight to finance board

Ken Borsuk\_Jan. 24, 2020 Updated: Jan. 24, 2020 5:16 p.m.

### Comments

GREENWICH — Greenwich parents looking for changes to special education services in Greenwich Public Schools have brought their fight directly to those holding the purse strings.

Dozens of parents of special education students this week urged the Board of Estimate and Taxation's Budget Committee to better fund special education, including by providing for more teachers and better training for educators.

Teacher-student ratios are too great, and the district can't or won't provide many services students need, parents said, often forcing them into legal challenges, called due process hearings, to fight for services.

"We must put an put an end to these injustices," parent Jen Kutai told the committee as it began its deliberation of the the 2020-21 town budget. "Your actions or lack thereof are destroying innocent children's lives. ... The number of special education children in this district is growing at an increasingly alarming rate and so are the number of lawsuits in this district, which parents almost always win."

Kutai said that it was a "long and arduous process" to get intervention services for her daughter's education even though it had been clear years before that she needed them. She said that left her daughter "with academic and emotional scars that no child should have to bear."

"It also left my husband and I perplexed about why any parent should have to go to such lengths to get what any child deserves, a free and appropriate public education," Kutai said.

Parent Audra O'Donovan said that she has had to "fight for every service" for her three children in the district and is no longer employed outside her home because the "never-ending battle to insure my children receive an appropriate education" became too consuming.

Families from the district have formed a group to present a united front to the school district and town, they said.

"This is a call to action," parent Mike Goff said. "Please do what you can to move Greenwich out of its worst in class status in the state when it comes to educating our children with special needs."

Under the currently proposed 2020-21 budget, there is \$12.5 million set aside for special education along with funding for a study of special education delivery in what is expected to be a lean budget year. The BET has called for town budgets to not go beyond a 2 percent increase from the current year and the Board of Education has been asked to have more than a million dollars in cuts ready if needed.

"While you have been guarding against even the most modest of budget increases, the needs of our students and teachers have been sharply on the rise," said Diana Martinez, who is a parent of two special education students and a former teacher in the district. "Keeping the budget increase within two percent is frankly a luxury of the past. Welcome to 2020. Our schools need more social workers. Our kids need specially trained special education teachers and para professionals. And their teachers desperately need professional development to address these new challenges."

In presenting the requested 2020-21 school budget to the Budget Committee on Thursday night, Superintendent of Schools Toni Jones said that even as district enrollment declines, close to 200 special education students have been added to Greenwich's schools. She said even as she presented the budget, it didn't have enough to cover what tuition costs likely will be for outplaced special education students.

Currently \$1.9 million is allocated for that purpose in the requested budget.

Jones and Board of Education Chair Peter Bernstein will meet with the Budget Committee again on Jan. 30 to go over the district's operating and capital budget requests.

Budget Committee Chair Leslie Tarkington said she was "touched by the passion" of the parents and that she expected next week's meeting to be the start of a longer process in which the committee learns more about the program's trends and direction.

"As Budget Committee chair I expect the Budget Committee to learn more detail about the special ed program, whether the speakers are representative of other parents who have children in the program, and how town schools are meeting the children's educational needs," Tarkington said.

Committee member Leslie Moriarty, a former chair of the Board of Education, said special education has always been a challenging area for school administrations and boards of education.

"However the goals of delivering an appropriate education for every student have not changed," she said. "Given the trends in student needs, parent concerns and costs, there is a necessity to better understand the root causes of the issues and make sure they are addressed."

The Jan. 30 meeting is open to the public but there will not be a public hearing.

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## Greenwich parents express concern over impartiality of special education study

By Jo Kroeker Jan. 25, 2020 Updated: Jan. 25, 2020 4:16 p.m.

Buses depart during dismissal at Central Middle School in Greenwich, Conn. Thursday, Nov. 21, 2019.

Photo: File / Tyler Sizemore / Hearst Connecticut Media

**GREENWICH** — Several parents are mistrustful of a consulting group hired to help Greenwich Public Schools improve processes in special education after learning the group worked with the district once before.

Administrators say they brought on Tennessee-based Key2Ed a second time because of the positive outcomes it helped the schools achieve 15 years ago. But parents say the fact that the consultant already has a relationship with leaders of the department is troubling. School board members, eager to fund an audit of the department once the 2020-21 budget is approved, also shared their concerns as well as those of other parents.

“We tried to be proactive for additional training given the positive outcomes from sessions those times ago,” Chief Pupil Personnel Services Officer Mary Forde said. “This work they are doing now is not a contract continuation. It is completely separate from the work they did 15 years ago, and they have not worked with our district since.”

Key2Ed declined to comment for this article.

Parent Caroline Lerum said parents have seen Key2Ed interviewers, diligent in their note-taking, withhold comments that parents make about their experiences with administrators.

“We were told they were brought in to meet with stakeholders, gather unbiased data and present that data,” Lerum told the school board during its meeting last week at the International School at Dundee. “But what parents are reporting is that many of their comments are not being included in this data.”

Parent Lindsey Fahey said she spoke with a consultant from Key2Ed, but could only address pre-chosen topics — such as the process for identifying special education students — agreed upon by a committee, selected by Superintendent Toni Jones and Forde to include administrators and a balance of parents, those with concerns about the department and those without.

“I was greatly dismayed,” Fahey said. “The whole process is broken.”

Many parents have said it’s not just department policies or processes that can be a problem — in fact some have said the processes are fine. They take exception with how the policies are carried out, and said relations with administrators in the department often are needlessly antagonistic.

Over the last 25 years, parents, former teachers, school board members and outside consultants have criticized the department and offered it recommendations, with concerns ranging from the department failing its obligation to identify children for needed services to silencing teachers to forcing parents to take legal action to get their kids what they need. The criticism has intensified in recent months, as parents have joined together and spoken up regularly in meetings of the school board.

Board Member Meghan Olsson last week said there is a disconnect between what the school district reports and what parents see. She said she knows some people who feel pigeon-holed into discussing certain topics with the consultants, creating optimistic data.

“I’m not hearing that from actual parents,” she said. “I’m questioning the validity of this. ... As a board member, this is not what I had in mind.”

In November, the district announced that Key2Ed would retrain teachers and staff in facilitating the meetings in which a child’s special-education services are negotiated on by administrators, staff and parents. Since then, team members have interviewed between 100 and 150 parents and teachers anonymously about their experiences in special education in Greenwich Public Schools.

“To be clear, this is not the (school board) audit of Special Education,” Forde said.

Key2Ed has extensive expertise in improving the process of developing Individualized Education Plans for students in need of special education services, Forde said. The firm’s proposal included devising seminars, which identify areas, programs or services where there appear to be a high degree of conflict and disputes. Jones said she reviewed their proposal and decided that the process could be useful to help parents, community and staff to share their views.

The work with Key2Ed ensures that the district does not stay idle while it waits for money to be released for an audit of the department, Jones said.

“I am really truly very excited about the work we are doing and I am disappointed to hear that it feels like some people aren’t having a good experience, because up until literally today, everything I heard has been positive because people feel like their voices are being heard,” she said last week.

Jones asked parents and school board members for patience.



"It's a very unusual process where you have a consultant that meets with a number of different people and gives us all that input, it is very different from any audit or review I have been through in my 30 years, it is very valuable," she said.

Key2Ed is one piece of the process, Board Chair Peter Bernstein said.

"I am looking for a complete, soup-to-nuts review of special education, from identification (of students) to services," he said. "This is one snapshot."

For some school board members, the parents' concerns were like déjà-vu.

A few compared the arrangement with Key2Ed to an earlier processes in which consultants were hired to review the department — but the special education department chose the student cases to be reviewed. In 2014 Newington consultant Teresa DeFrancis was brought in. She studied five cases — chosen by the department — to see if Greenwich Public Schools followed protocol and procedures.

Board Member Peter Sherr said he understands why parents are voicing skepticism.

"It was the most bizarre thing I ever heard," he said, referring to the earlier reviews. "I just heard this again with Key2Ed."

Board member Karen Hirsh recalled parents reaction to the DeFrancis study.

"I have some grave concerns," Hirsh said. "We cannot have another review where parents who have concerns feel like they aren't being heard."

Forde said her department chose cases that would provide a wide array of typical Individualized Education Plans across the district.

"We asked Theresa to come in and we did choose cases, but did so with intention," Forde said.

The same approach was used in 2010 when consultants reviewed due process cases, those in which parents essentially sue the district for services they allege the schools should have provided.

"This was purely a review of paperwork and procedures, and these results were reported out to the board at a small working session," Forde said.

Jones said she has spent many hours meeting individually with parents, so she has heard first-hand the issues and concerns they have, on which Key2Ed's work will expand.

"I would not choose a consultant for an independent project that I thought could not provide independent and unbiased answers," Jones said. "I am confident in Key2Ed's work and I look forward to hearing the results of their interviews to better understand the first-hand input from people directly connected to Special Education in our district."

## nion: Greenwich schools is in breach of special education regulations



Justin Papp Oct. 24, 2020 Updated: Oct. 24, 2020 7:45 a.m.

Comments



Greenwich Public School Superintendent Toni Jones at Greenwich High School in Greenwich, Conn. Tuesday, Oct. 8, 2019.

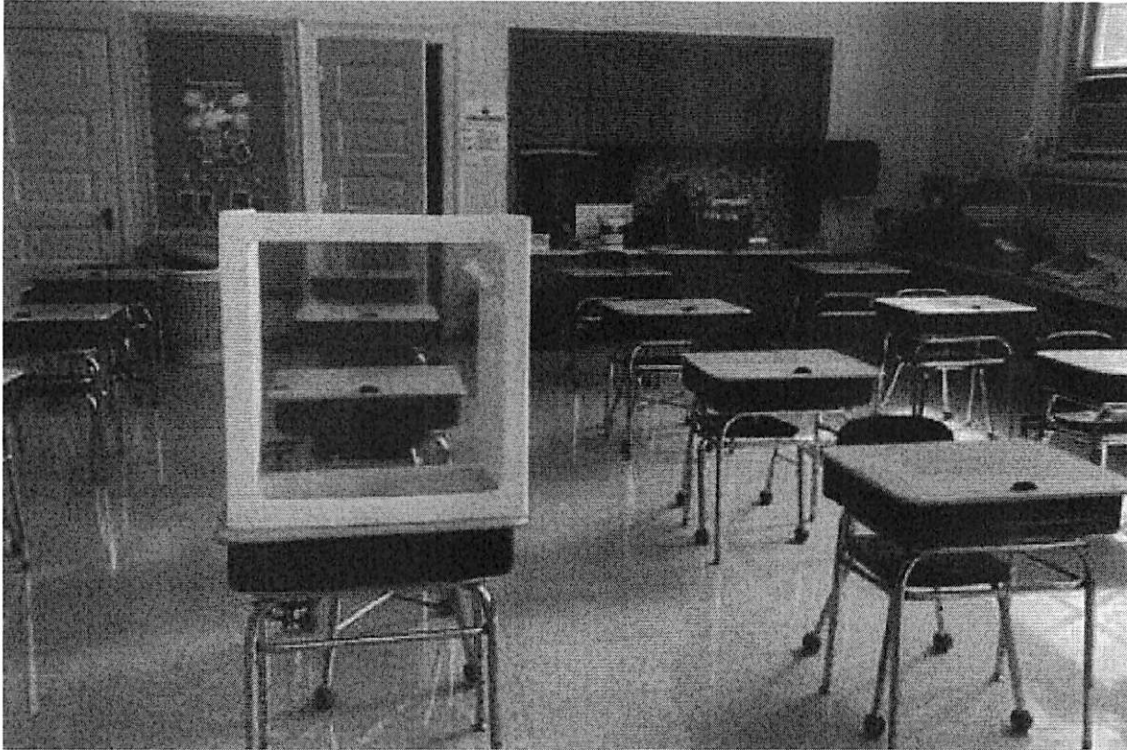
Photo: File / Tyler Sizemore / Hearst Connecticut Media

**GREENWICH** — A recently obtained email sent on behalf of the union representing teachers in the Greenwich Public Schools to the district highlights the ongoing rift between special education educators and parents, who are on one side, and school administrators, on the other side.

According to the letter, which the Greenwich Time procured through a Freedom of Information Act request, the union says the school district is failing to adhere to its collective bargaining agreement, board policies, and state and federal regulations in its delivery of special education services.

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**BY JUSTIN PAPP**

*How one CT private school tests everyone, every week*

The Executive Board of the Greenwich Education Association, the union representing teachers, issued a letter on Sept. 22 to Superintendent of Schools Toni Jones calling for the immediate remedy of the alleged violations. In one of the strongest allegations, the letter says educators have been directed to persuade parents to make changes to their children's Individualized Educational Programs (IEPs), which lay out goals and educational requirements for students with learning disabilities.

"As you are no doubt aware, this is a clear violation of the IDEA (Individuals with Disabilities Education Act) and the process for developing IEPs for students," the letter states.

The letter also alleges that teachers assigned to live instruction have been asked to take on additional responsibilities and service hours, which are not possible to provide without exceeding the contractually mandated workday, since students have returned to classrooms during the COVID-19 crisis.

"We request that the caseloads be adjusted to ensure the legally required services will be delivered in accordance with our collective bargaining agreement," the letter states.

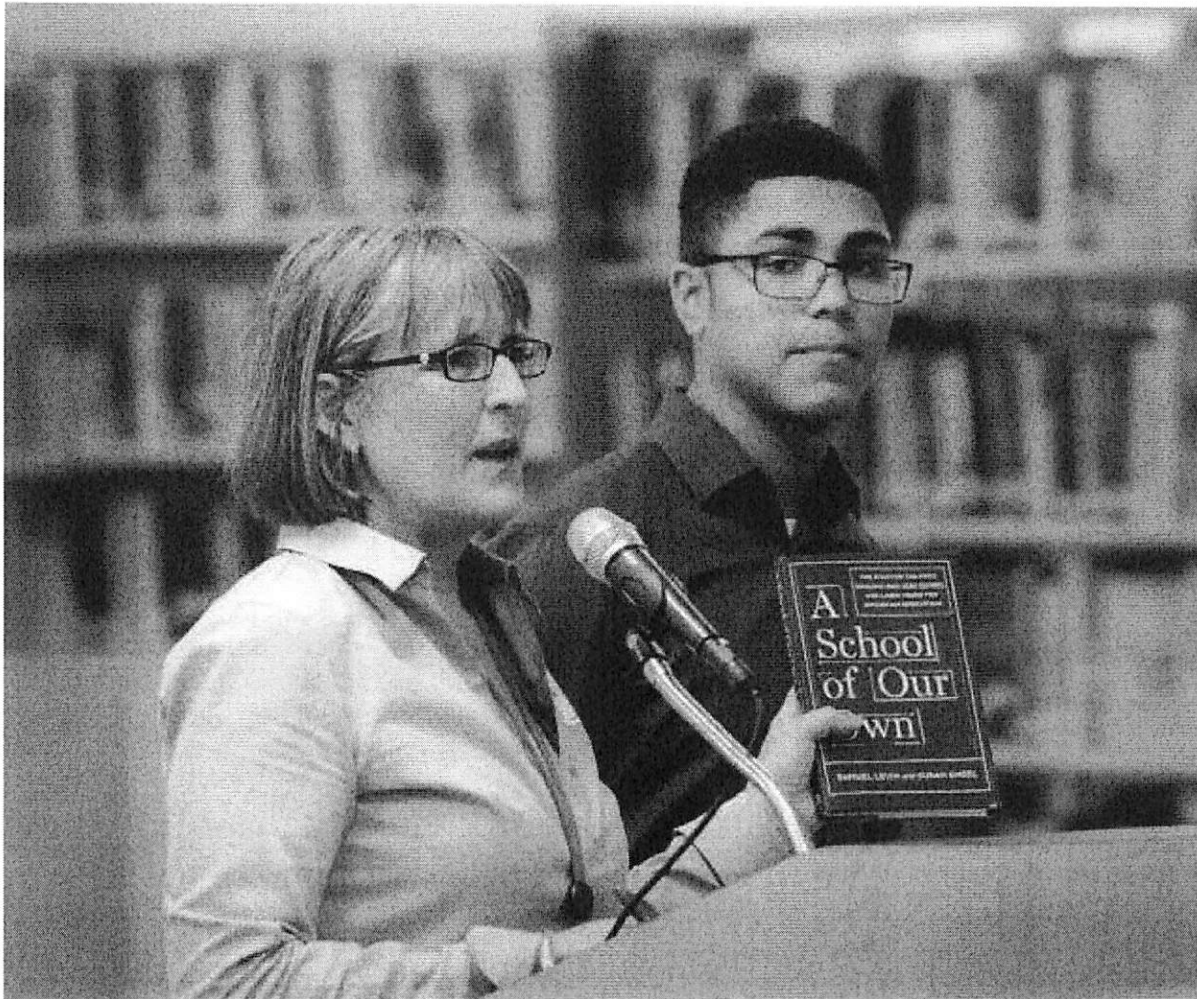
GEA's call out comes at a time of intense scrutiny of the district's special education services.

Complaints lodged by special education parents for more than a year have hit a fever pitch in recent weeks, as the school district has scrambled to adjust to educating students during the pandemic. Longstanding issues have only been exacerbated with students learning remotely, parents and the teacher's union have said.

The Board of Education also recently approved a large-scale audit of the department, which began this month. And, at its Thursday meeting, the school board was presented with a report on a 2019-20 study by educational consulting firm Key2Ed, which focused on the IEP process and relationships between parents and educators.

The report, a draft of which was made available for the first time this week, reinforces the criticisms and concerns of parents and teachers around the special education process. Among other things, the report underlines parents' general mistrust of the district in regards to special education and Greenwich Public Schools' perceived failure to communicate and provide adequate services.





Greenwich Education Association President Carol Sutton at Greenwich High School, Conn., Thursday, May 25, 2017.

Photo: File / Bob Luckey Jr. / Hearst Connecticut Media

On the same day the GEA letter was submitted, Superintendent of Schools Toni Jones responded via email to GEA President Carol Sutton. The communication was also obtained through the Freedom of Information Act.

“We will reach out tomorrow with the hopes that you can provide some names of individuals to start an investigation in terms of who is asking staff to ‘persuade parents to reduce service hours’ as this has never been a GPS stance,” Jones wrote. “Teacher caseloads continue to be balanced across the district, and some teachers who were only assigned 5-6 students initially could not remain in that manner if we were going to staff adequately for all children and all GEA members. We will be in touch.”

Jones did not respond to a request for additional comment. Sutton said Thursday that she had not been made aware of any investigation.

“There is always an ongoing partnership and dialogue with our teachers around a number of issues, including special education,” Board of Education Chair Peter Bernstein said. “The superintendent and her team are in regular contact with the GEA leadership and work to resolve issues as they arise. In

response to this particular outreach, I know the superintendent sought additional details from the GEA to better understand the concerns raised and allow for proper investigation.”

In addition to the Sept. 22 letter, Sutton addressed a Sept. 21 email to all members of the Board of Education.

In it, Sutton outlines three specific complaints. The first, according to Sutton, has to do with special education teachers assigned to students on remote learning. The teachers were given assignments that were fully remote at the beginning of the year, but soon after were pulled back into a hybrid model, in which they were asked to educate both in-person and remote students “with little direction and no model for how to make it work,” Sutton wrote.

“Not only was the rug ripped from under the would-be remote SPED teachers, now the in-school teachers would be working in two places, too,” she continued.

In addition, Sutton said that the caseloads are too heavy for many teachers and that math instruction, in particular, is not deliverable to all special education students. The special education department was also not fully staffed at the time of writing, Sutton said, and was operating with a lack of substitute teachers and paraprofessionals, which placed further stress on teachers, students and families.

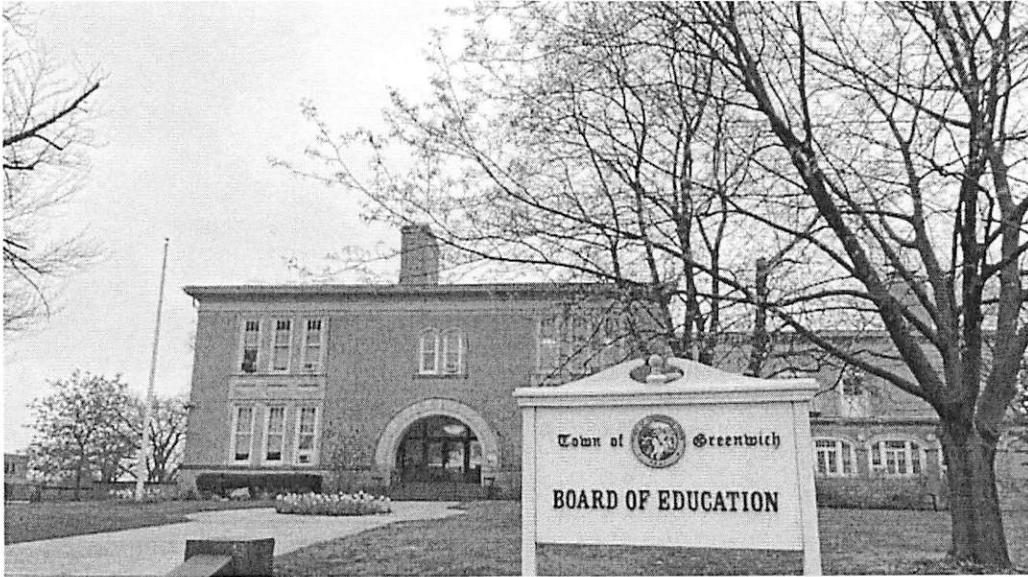
“It is understandable why many Greenwich families whose children require Special Education Services — and their teachers — feel overlooked a mere two weeks into the school year,” Sutton wrote.

Sutton elaborated on the motivation for the letter Thursday.

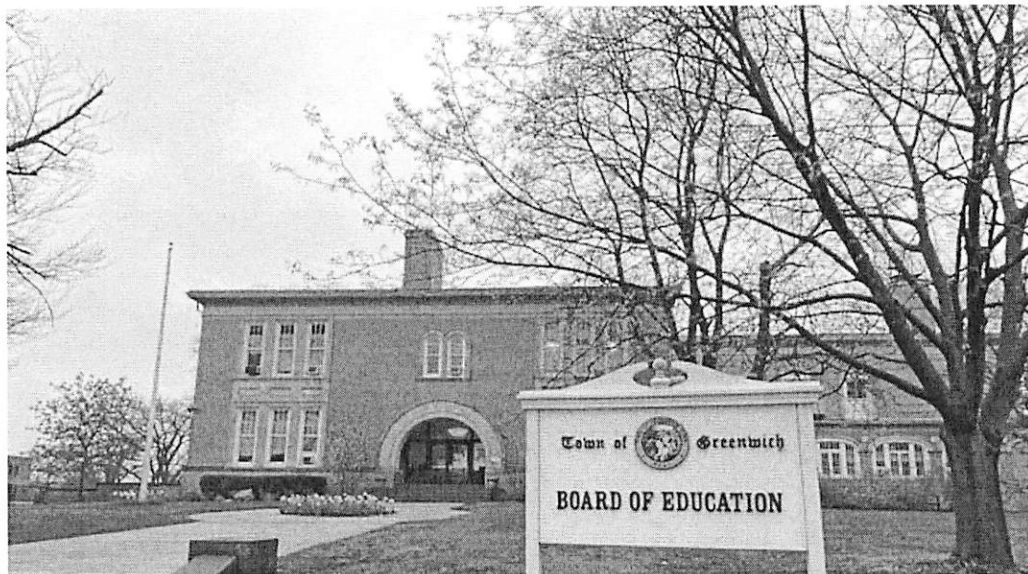
“Our building representatives reported that teachers have been told to modify hours outside of the PPT process,” Sutton said. “They’re clear on what they were told to do. And this type of directive makes teachers very uncomfortable based on their understanding of the law.”

[justin.papp@scni.com](mailto:justin.papp@scni.com); @justinjapp1; 203-842-2586



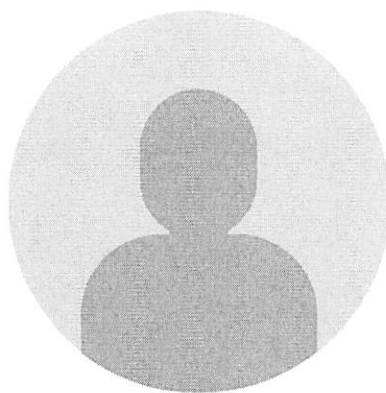


## Greenwich BET Adequately Fund Greenwich Public Schools



2,969 have signed. Let's get to 5,000!

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**Caroline Lerum started this petition to Greenwich Board of Estimate and Taxation**

The Greenwich Public Schools budget was materially reduced by 3 million dollars this past Monday. While superintendent Dr. Jones has been able to identify \$728,000 in reductions anything beyond that would impact STAFFING AND PROGRAMS specifically in the following ways:

- An estimated 30 teachers, support staff and administrative positions would need to be eliminated. This would undoubtedly increase class size and negatively affect the student-teacher ratio. This issue could be exacerbated if guidance is issued around the need for smaller class sizes in light of COVID-19.
- Multiple programs would be in jeopardy: music, art, PE, athletics, intramurals, ALP, World Languages and extra-curricular activities.

We are requesting the BET go back to the table WITH Dr. Jones and her team to discuss if there are additional funds that could be directed to the BOE. All BET members agreed that they do NOT want these cuts to directly impact the classroom, students and the quality of education. Therefore, we ask that all 12 members sit publicly with Dr. Jones for further discussion. While COVID-19 affects every aspect of our town we are asking the BET to utilize the tools and options necessary to bring the BOE budget to an agreeable number that will not have a negative impact on our children or their education as THEY ARE THE FUTURE OF GREENWICH.

**Start a petition of your own**

[Start a petition of your own](#)

[This petition starter stood up and took action. Will you do the same?](#)

[Start a petition](#)

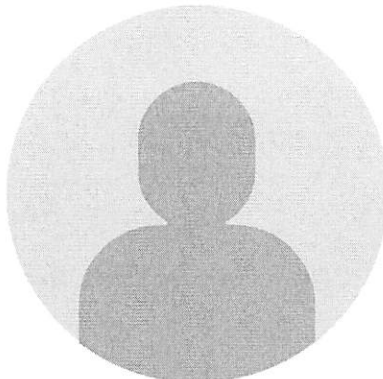
**Updates**

[It says we need 100 signitures but we really need THOUSANDS! PLEASE SHARE!](#)

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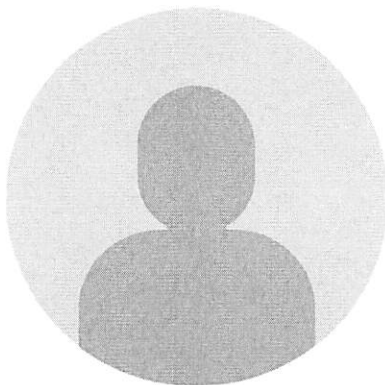
**Caroline Lerum**

6 months ago

6 months ago

Caroline Lerum started this petition

**Reasons for signing**



**Irina Anguelova** · 6 months ago

Cutting the budget during a pandemic is not the appropriate action. There should be even more money allocated due to the need for social distancing and increased cleaning. In addition, digital learning subscriptions should be provided. There are no appropriate digital program subscriptions for language arts and science in elem... Read more

9.

Report

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**Stefanie Lacoff** · 6 months ago

[Our students' education should come first!](#)

[G](#)

[Report](#)

**View all reasons for signing**

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### Complete your signature

First name

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By signing, you accept Change.org's [Terms of Service](#) and [Privacy Policy](#), and agree to receive occasional emails about campaigns on Change.org. You can unsubscribe at any time.

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### Today: Caroline is counting on you

Caroline Lerum needs your help with “**Greenwich BET Adequately Fund Greenwich Public Schools**”. Join Caroline and 2,968 supporters today.

Sign this petition

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Sign this petition

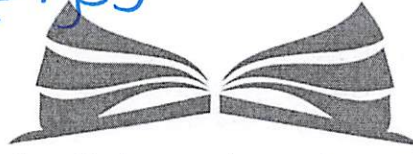
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Attachment E - 11 pages

Andrew A. Feinstein  
afeinstein@edlawct.com

Jillian Griswold  
jgriswold@edlawct.com



Feinstein Education Law Group

MYSTIC • CT

Melanie E. Dunn  
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mdunn@edlawct.com

Richard Padykula  
*Of Counsel*  
rpadykula@edlawct.com

October 16, 2019

Hearing Officer Sylvia Ho  
P.O. Box 732  
Granby, Connecticut 06035

By Facsimile (800-652-3072) and email (hearingofficersylviaho@gmail.com)  
Eleven Pages

Re: Greenwich v. RO  
Case: 20-0157

Dear Hearing Officer Ho:

I represent the family of RO in the above-cited matter.

I write to inform you that we will be filing a motion to dismiss shortly. Investigating a complaint filed by the family, the Connecticut State Department of Education (CSDE) ordered Greenwich as follows:

Immediately upon receipt of this report, the District is ordered to grant the Parents' request for an IEE, to include psychological, educational (which presumably could be completed by the same evaluator), and occupational therapy evaluations, and must provide them with information about where an IEE may be obtained, and the agency criteria applicable for IEEs. Confirmation of such must be provided to the Bureau within ten days of receipt of this report.

Attachment A at page 4. Greenwich sought a stay of this order pending a due process hearing. CSDE rejected such a request. Appendix B. Hence, Greenwich must fund the subject evaluations immediately and this due process hearing is not justiciable because there remains no matter in controversy.

If the hearing officer determines that the hearing should go forward, the parents will formally interpose the affirmative defense of retaliation in the proceeding. The chronology is fairly clear from the filings to the Bureau of Special Education. On June 4, 2019, the mother formally requested an Independent Educational Evaluation at public expense. The Board threatened a due process filing on July 10. See Attachment A, ¶17 on page 3. The Board did not do so. Then, however, at 10:00 am on October 1, 2019, the mother met with the Chief PPS Officer, Mary Forde and GPS Sped Administrators in a conference room adjacent to Mary

Hearing Officer Sylvia Ho  
October 16, 2019  
Page Two

Forde's office at the Greenwich Board of Education headquarters, in her role as the District Special Education Representative for the PTA for Greenwich Public Schools. As such, she has bi-monthly meetings throughout the school year with Greenwich special education administrators. The purpose of this particular meeting was to discuss the current state of special education in Greenwich and the goals for the school year.

During this meeting, the Chief PPS Director, Mary Forde and Elementary Special Education Administrator, Karen Vitti repeatedly expressed anger. Both stated they believed that the current turmoil in special education in Greenwich was as a result of the parents speaking out. Both referred specifically to a recently formed parent group, called Speducated Parents of Greenwich, a group with which the mother is involved. Mary Forde and Karen Vitti, as well as others, devoted more than 60 minutes talking about how wrong it was for parents to form support groups and not allow GPS administrators into their group.

The mother responded she, as a parent, supported closing the meeting to Greenwich Public School staff who were not parents of students with special needs. The mother stated that parents need a safe environment in which to discuss their child's situations without fear of retaliation from an administrator. She explained that this fear is very real and felt by the more than the 300 people that have joined Speducated Parents of Greenwich. Karen Vitti and Mary Forde informed the mother that no PTAC meeting for special education was to be held off school property and that parents need to stop this negative talk. Mary Forde stated, "she needed more funding" to meet all of the needs of the students and that is what parents should focus on.

Three days following this contentious meeting, on October 4, the district, over the signature of Mary Forde, filed for due process to challenge the mother's June 4 request for an IEE at public expense. Both the nature of the October 1 meeting and the timing of the due process filing make plain that the filing was retaliatory for the mother's involvement with Speducated Parents of Greenwich, an organization dedicated to protecting the rights of parents under the Individuals with Disabilities Education Act.

Connecticut hearing officers have "the authority (A) to confirm, modify, or reject the identification, evaluation or education placement of or the provision of a free appropriate public education to the child or pupil..." C.G.S. §10-76h(d)(1). Nothing in this grant of authority limits, in any way, the ability of a hearing officer to consider violations of federal regulations in determining whether a claim is valid. Indeed, violations of regulations are frequently part and parcel of each due process hearing. 42 U.S.C. 2000d clearly provides that "no person in the United States shall ... be subjected to discrimination under any program or activity receiving Federal financial assistance." This provision has been authoritatively expounded to mean "No recipient or other person shall intimidate, threaten, coerce, or discriminate against any individual ... because he has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding or hearing under this part." 34 C.F.R. § 100.7(e). See, Dear

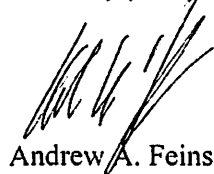


Hearing Officer Sylvia Ho  
October 16, 2019  
Page Three

Colleague letter of April 24, 2013, Attachment C. Simply put, Greenwich, which receives federal special education funds as a local education authority under the State of Connecticut, may not retaliate against a mother who has exercised her free speech rights by aligning herself with a parents' group challenging the way special education is administered in Greenwich. Clearly, retaliation for the exercise of rights under the IDEA is prohibited by federal law and the claimant has a duty to exhaust administrative remedies in order to pursue such a claim. *Weber v. Cranston School Committee*, 212 F.3d 41 (1st Cir. 2000). A hearing officer has jurisdiction to hear claims of retaliation but is limited in granting relief to the remedies under the IDEA, including compensatory education. *Whitehead v. School Board for Hillsborough County*, 918 F. Supp. 1515 (MD FL 1996).

If the hearing officer determines to move forward with a full evidentiary hearing, notwithstanding the parents' motion to dismiss, the parents intend to present evidence on the issue of retaliation, so the parents may have a record to bring to federal court to seek damages for this violation of their rights.

Sincerely yours,



Andrew A. Feinstein

Attachments:

- A. Letter from Jim Moriarty to Mary Forde of September 26, 2019
  - B. Letter from Jim Moriarty to Mary Forde of October 15, 2019
  - C. Dear Colleague Letter of Seth Galanter of April 24, 2013
- cc. Attorney Bellach

Attachment A



# STATE OF CONNECTICUT

STATE DEPARTMENT OF EDUCATION



September 26, 2019

Ms. Mary Forde  
Chief Pupil Personnel Services Officer  
Greenwich Public Schools  
290 Greenwich Avenue  
Greenwich, CT 06830-6521

Mr. and Mrs. Brian O'Donovan  
25 Perna Lane  
Riverside, CT 06878

Re: Rory O'Donovan  
Complaint No. 20-0064

Dear Ms. Forde, Mr. and Mrs. O'Donovan:

The Bureau of Special Education (the Bureau) is responding to the complaint that was filed with this office on August 13, 2019, by Audra and Brian O'Donovan (the Parents) on behalf of their son, Rory O'Donovan (the Student) against the Greenwich Public Schools (the district). In the complaint, the parents alleged that the District failed to respond to a request for an Independent Educational Evaluation (IEE) at public expense in a timely manner.

The complaint inquiry letter set forth the issues to be investigated as follows:

**Issue:** 34 CFR § 300.502 requires that if a parent requests an IEE at public expense, the school district must, without unnecessary delay, either – file a due process complaint to request a hearing to show that its evaluation is appropriate; or ensure that an IEE is provided at public expense. Further, each school district must provide to parents, upon request for an IEE, information about where an IEE may be obtained, and the agency criteria applicable for IEEs.

**Questions:** Did the Parents request an IEE? If so, was the Parents' request responded to in a timely manner? Did the District file a due process complaint to request a hearing? Was information provided to the Parents relative to where an IEE may be obtained? Was the district's IEE criteria provided to the Parents? If so, explain. If not, why not?

The following documents were reviewed in the preparation of this report:

- 1) 34 CFR Part 300 of the Federal Register;
- 2) *Guidelines Regarding Independent Educational Evaluations at Public Expense and In-School Observations*, Connecticut State Department of Education (CSDE) Bureau of Special Education, October 28, 2018;
- 3) Parents' letter of complaint;
- 4) Greenwich Public Schools response to the Bureau's complaint inquiry letter including the following documentation:
  - a) Individualized Education Programs (IEPs) dated April 27, 2018, May 29, 2018, May 13, 2019; and
  - b) Email correspondence between the District and the Parents dated July 10, 2019 through August 19, 2019.
- 5) Information provided by the Parents:
  - a) Letter to the Parents, dated July 10, 2019, signed by the Chief Pupil Personnel Services Officer, and
  - b) Email correspondence between the Parent and the Assistant Principal June 2-3, 2019 including the attachment: "Conset(sic)-RO.doc (68K).

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**Findings of Fact:**

1. The Student is seven years old and is currently enrolled in the second grade at North Mianus School; he has been deemed eligible for special education services under IDEA with the primary disability Speech Language Impaired.
2. A Planning and Placement Team (PPT) meeting was held on April 27, 2018. The purpose of the meeting was to design the Student's triennial evaluation. Among the PPT recommendations was: "Purpose of the meeting was to sign consent for Triennial Testing." *Prior Written Notice* indicated: "Conduct a Reevaluation." Parent signed Form ED627, *Notice and Consent to Conduct a Reevaluation* for an "individualized assessment of Speech and language, by a speech language pathologist."
3. A PPT meeting was held on May 29, 2018; the *Reason for Meeting(s)* were indicated as: *Review Eval/Reeval and Conduct Annual Review*. Results of the speech/language evaluation were reviewed at the meeting. *Prior Written Notice* indicated: "Determine continuing eligibility, Implement IEP."
4. A PPT meeting was held on May 14, 2019; *Reason(s) for Meeting* were indicated as: *Plan Eval/Reeval and Conduct Annual Review*. While the IEP document included nothing in the section *PPT Meeting Summary(optional)*, it included a page full of text under *List of PPT Recommendations*, most of which would be described as a "summary." Among that information: "Team met for the purpose of an annual review and reviewing parent request for an evaluation" and "Team recommended evaluations in the areas of academics, psychological, and rating scales for behavior, attention and social emotional. OT screening was also recommended." Additionally, "Parent took consent form home to have more time to consider the team's recommendations." Per the District's response: "Unfortunately, the school did not make a copy of the consent given to the Parents." *Prior Written Notice* indicated: "Conduct a Reevaluation" and "Implement IEP."
5. In an email chain, provided by the parent, dated June 2-3, 2019, the Parent requested "send the consent form home with (the Student)." In a response to the Parent, the Assistant Principal indicated: "Attached is the consent form for (the Student)." ED627 *Notice and Consent to Conduct an Evaluation*, dated September 8, 2019 (It is impossible for this investigator to determine why the date on the form is nearly four months after the PPT meeting) indicated that a PPT was held on May 14, 2019 and proposed the following evaluations: Psychological Evaluation to assess cognition, by a School Psychologist; Rating Scales to assess attention/behavior/social emotional, by a School Psychologist; Educational Evaluation, to assess achievement to be conducted by a Special Education Teacher ; and Occupational Therapy, to assess fine motor/gross motor/sensory, to be conducted by an Occupational Therapist. (Investigator's note: there is disagreement between what appeared in the *List of PPT Recommendations* and the consent form provided to the Parent with regard to Occupational Therapy. The consent form proposes an evaluation not a screening).
6. The consent for evaluation form was never signed by the Parents/returned to the District.
7. In an email to the District (Assistant Principal), dated June 4, 2019, the parent indicated: "I am writing to inform you that I am not in agreement with my (Son's) tri-annual evaluation on 5/24/18 and I am seeking an independent educational evaluation at public expense for my child because the school's evaluation was not comprehensive."
8. In an email to the Parent, dated June 7, 2019, the Assistant Principal indicated: "I'd like to sit down if possible and meet for a few minutes to discuss your IEE request further."
9. Per the District's response, a meeting took place with the Parent and the Assistant Principal on June 10, 2019 "to discuss the proposed evaluation" at which time "the parent was informed that the proposed evaluation would be completed by school-based staff."

10. Per the District's response, a subsequent phone call from the Parent requested that a particular school psychologist complete the evaluation; that request was denied by the District.
11. Per the District's response, a meeting took place with the Parent on June 13, "to determine if consent would be signed for the evaluation to be completed by (District staff)."
12. On June 25, 2019, the Parent sent a second email to the Assistant Principal requesting an IEE and further indicated: "Please provide me with your list of criteria for outside evaluators and a list of psychologists, occupational therapists and educational evaluators that meet that criteria."
13. In a response from the Assistant Principal on June 26, 2019, she indicated: "I am in receipt of your request and would like to schedule a PPT to discuss your concerns."
14. That same day, the parent responded: "There is no need for a PPT . . . please let me know what the GPS criteria is for outside evaluators and a list of evaluators."
15. In an email dated July 10, 2019, the Parent identified a potential evaluator.
16. That same day, the Assistant Principal responded: "As we discussed a few weeks ago, we have not had an opportunity to evaluate (the Student) and therefore have no evaluation for you to be in disagreement with to request an IEE at this time. I am happy to provide an alternate psychologist, but cannot guarantee (the one) you requested. Since we are in disagreement regarding your request, (the PPS secretary) will contact you as we will have to file due process."
17. In a letter to the Parents, dated July 10, 2019, the Chief PPS Officer indicated: "I have been informed by your child's school that on July 10, 2019, you stated that you disagreed with the District's Psychological Evaluation and requested an IEE at District expense . . . At the meeting the team reviewed the school's evaluation and determined that the assessment was appropriate and sufficient, and therefore denied your request . . . Under the IDEA, the school district is legally obligated to initiate a due process hearing to demonstrate the appropriateness of the evaluation . . . Please know that while we disagree as to the necessity of an IEE in this matter, we respect your right to request an IEE, however if you choose not to withdraw your request, we will take the required action of filing the request for due process."
18. The District never filed for a due process hearing.
19. In an email to the Parent, dated July 22, 2019, the Chief PPS Officer indicated: "When would (the Student) be available for evaluation?"
20. In an email to the Chief PPS Officer on July 23, 2019, the Parent reiterated her request for a specific school psychologist to evaluate the Student and "a comprehensive evaluation by the NMS special education teacher and a comprehensive Occupational Therapy evaluation by the NMS OT."
21. The complaint was filed with the Bureau on August 13, 2019.
22. In an email to the Parent, dated August 16, 2019 and copied to this investigator, the Chief PPS Officer indicated: "I'm sorry my last email was not clear that I will have (the Parent's requested psychologist) complete the psychological evaluation. It will be done in September, once the students' schedules are finalized."
23. In an email to the Parent, dated August 19, 2019 and copied to this investigator, the Chief PPS Officer indicated: "I want to clarify the evaluations that will be completed in September (pending our receipt of the signed consent form): (Parent's requested psychologist): psychological and rating scales for behavior,

attention and social emotional; (NMS special education teacher): academic; TBD: occupational therapy screening.”

24. The Parents never withdrew their request for an IEE.

25. The District’s response indicated: “The District did not file for a Due Process Hearing because it believes that in this case, the parent is not entitled to request an IEE.”

**Conclusions:**

34 CFR § 300.502 requires that if a parent requests an IEE at public expense, the school district must, without unnecessary delay, either – file a due process complaint to request a hearing to show that its evaluation is appropriate; or ensure that an IEE is provided at public expense. While “unnecessary delay” is not defined by the IDEA, Guidelines issued by the CSDE in October 2018, identify best practice as “a school district should provide a written response to a parent’s request to an IEE at public expense “within 10 calendar days from when the request is made during the academic year and 14 calendar days from when the request is made between school years””. In this instance, it took the District in excess of 35 days to respond to the Parents’ request. In its written communication to the Parents, the District represented its intention to “initiate a due process hearing to demonstrate the appropriateness of (its) evaluation,” in effect, denying the Parents’ request for the IEE. To date, more than 90 days after the initial request, the District has still not filed. Having previously told the Parents that the District was “legally obligated to initiate a due process hearing,” the District later changed its stance in its response to the Bureau when it indicated: “Parents are not entitled to an IEE.”

Regarding the District’s position that the Parents are not entitled to a publicly funded independent educational evaluation, it is concluded that the Parent disagreed with the triennial evaluation conducted in 2018 and requested an IEE. The District may not avoid filing for due process or paying for an IEE by completing additional assessments. This conclusion is consistent with guidance from the federal Office of Special Education (*Letter to Carroll*, October 22, 2016) and state guidance.

For failing to timely grant the Parents’ request for the IEE or file for a due process hearing, the District is deemed in violation of 34 CFR § 300.502. Corrective action is required; see below.

**Required corrective action:**

Immediately upon receipt of this report, the District is ordered to grant the Parents’ request for an IEE, to include psychological, educational (which presumably could be completed by the same evaluator), and occupational therapy evaluations, and must provide them with information about where an IEE may be obtained, and the agency criteria applicable for IEEs. Confirmation of such must be provided to the Bureau within ten days of receipt of this report.

This complaint report is final and not subject to appeal pursuant to the complaint resolution process. A party who has a right to request a due process hearing (that is, the parent or a local education agency) and who disagrees with this decision may initiate a due process hearing, provided that the subject of the due process hearing request involves an issue about which a due process hearing can be filed and the two-year statute of limitations for due process hearings has not expired. You can reach me at 860-713-6946 if you have any questions.

Sincerely,



Jim Moriarty, Education Consultant  
Bureau of Special Education

cc: Dr. Toni Jones, Superintendent of Schools  
Mr. Bryan Klimkiewicz, Special Education Division Director



Attachment B

# STATE OF CONNECTICUT

STATE DEPARTMENT OF EDUCATION



October 15, 2019

Ms. Mary Forde  
Chief Pupil Personnel Services Officer  
Greenwich Public Schools  
290 Greenwich Avenue  
Greenwich, CT 06830-6521

Re: Rory O'Donovan  
Complaint No. 20-0064

Dear Ms. Forde:

This communication serves as follow-up to the complaint report dated September 26, 2019 in which the following Required Corrective Action was issued:

"Immediately upon receipt of this report, the District is ordered to grant the Parents' request for an IEE, to include psychological, educational (which presumably could be completed by the same evaluator), and occupational therapy evaluations, and must provide them with information about where an IEE may be obtained, and the agency criteria applicable for IEEs. Confirmation of such must be provided to the Bureau within ten days of receipt of this report."

Please advise as to the status of the District's compliance with the Required Corrective Action.

Sincerely,

Jim Moriarty  
Education Consultant

cc: Mr. & Mrs. O'Donovan

Attachment C



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

THE ASSISTANT SECRETARY

April 24, 2013

Dear Colleague:

The Office for Civil Rights (OCR) in the United States Department of Education (Department) is responsible for enforcing Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, or age by recipients of Federal financial assistance (recipient(s)) from the Department.<sup>1</sup> Although a significant portion of the complaints filed with OCR in recent years have included retaliation claims, OCR has never before issued public guidance on this important subject. The purpose of this letter is to remind school districts, postsecondary institutions, and other recipients that retaliation is also a violation of Federal law.<sup>2</sup> This letter seeks to clarify the basic principles of retaliation law and to describe OCR's methods of enforcement.

The ability of individuals to oppose discriminatory practices, and to participate in OCR investigations and other proceedings, is critical to ensuring equal educational opportunity in accordance with Federal civil rights laws. Discriminatory practices are often only raised and remedied when students, parents, teachers, coaches, and others can report such practices to school administrators without the fear of retaliation. Individuals should be commended when they raise concerns about compliance with the Federal civil rights laws, not punished for doing so.

The Federal civil rights laws make it unlawful to retaliate against an individual for the purpose of interfering with any right or privilege secured by these laws.<sup>3</sup> If, for example, an individual brings

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<sup>1</sup> OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), Title IX of the Education Amendments of 1972 (Title IX), Section 504 of the Rehabilitation Act of 1973 (Section 504), the Age Discrimination Act of 1975 (Age Act), and the Boy Scouts of America Equal Access Act (Boy Scouts Act). OCR also shares enforcement responsibilities with the Department of Justice for Title II of the Americans with Disabilities Act of 1990 (Title II), which prohibits discrimination against individuals with disabilities in state and local government services, programs and activities, regardless of whether they receive Federal financial assistance.

<sup>2</sup> The Federal courts have repeatedly affirmed that retaliation is a violation of the Federal civil rights laws enforced by OCR. *See, e.g., Jackson v. Birmingham Board of Education*, 544 U.S. 167 (2005); *Peters v. Jenney*, 327 F.3d 307, 320-21 (4th Cir. 2003); *Weeks v. Harden Mfg. Corp.*, 291 F.3d 1307, 1311 (11th Cir. 2002).

<sup>3</sup> *See* 34 C.F.R. § 100.7(e) (Title VI); 34 C.F.R. § 106.71 (Title IX) (incorporating 34 C.F.R. § 100.7(e) by reference); 34 C.F.R. § 104.61 (Section 504) (incorporating 34 C.F.R. § 100.7(e) by reference); and 34 C.F.R. § 108.9 (Boy Scouts Act)

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*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

concerns about possible civil rights problems to a school's attention, it is unlawful for the school to retaliate against that individual for doing so. It is also unlawful to retaliate against an individual because he or she made a complaint, testified, or participated in any manner in an OCR investigation or proceeding. Thus, once a student, parent, teacher, coach, or other individual complains formally or informally to a school about a potential civil rights violation or participates in an OCR investigation or proceeding, the recipient is prohibited from retaliating (including intimidating, threatening, coercing, or in any way discriminating against the individual) because of the individual's complaint or participation. OCR will continue to vigorously enforce this prohibition against retaliation.

If OCR finds that a recipient retaliated in violation of the civil rights laws, OCR will seek the recipient's voluntary commitments through a resolution agreement to take specific measures to remedy the identified noncompliance.<sup>4</sup> Such a resolution agreement must be designed both to ensure that the individual who was retaliated against receives redress and to ensure that the recipient complies with the prohibition against retaliation in the future. OCR will determine which remedies, including monetary relief, are appropriate based on the facts presented in each specific case.

Steps OCR could require a recipient to take to ensure compliance in the future include, but are not limited to:

- training for employees about the prohibition against retaliation and ways to avoid engaging in retaliation;
- adopting a communications strategy for ensuring that information concerning retaliation is continually being conveyed to employees, which may include incorporating the prohibition against retaliation into relevant policies and procedures; and
- implementing a public outreach strategy to reassure the public that the recipient is committed to complying with the prohibition against retaliation.

If OCR finds that a recipient engaged in retaliation and the recipient refuses to voluntarily resolve the identified area(s) of noncompliance or fails to live up to its commitments in a resolution agreement, OCR will take appropriate enforcement action. The enforcement actions available to OCR include initiating administrative proceedings to suspend, terminate, or refuse to grant or continue financial assistance made available through the Department to the recipient; or referring the case to the U.S. Department of Justice for judicial proceedings.<sup>5</sup>

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(incorporating 34 C.F.R. §100.7(e) by reference). Title II and the Age Act have similar regulatory language. *See* 28 C.F.R. § 35.134 (Title II); and 34 C.F.R. § 110.34 (Age Act).

<sup>4</sup> See OCR's Case Processing Manual for more information about resolution agreements, *available at* <http://www.ed.gov/ocr/docs/ocrcpm.html>.

<sup>5</sup> *See* 34 C.F.R. § 100.8.



OCR is available to provide technical assistance to entities that request assistance in complying with the prohibition against retaliation or any other aspect of the civil rights laws OCR enforces. Please visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm> to contact the OCR regional office that serves your state or territory.

Thank you for your help in ensuring that America's educational institutions are free from retaliation so that concerns about equal educational opportunity can be openly raised and addressed.

Sincerely,

/s/

Seth M. Galanter  
Acting Assistant Secretary for Civil Rights

Attachment F - 14 pages

**TASK FORCE AND DEVISING SEMINAR PROCESS REPORT  
FOR GREENWICH SCHOOL DISTRICT  
DRAFT**

November 2019 to March 2020



**Greenwich School District**

290 Greenwich Avenue  
Greenwich, CT 06830

*Presented by*



**Key2Ed, Inc.**

426 Verandah Lane  
Franklin, TN 37064  
[www.key2ed.com](http://www.key2ed.com)

Joyce H. Little, Ed.D., Founding Partner  
Cassie Velasquez, M.Ed., MDR, Managing Partner

February 18, 2020

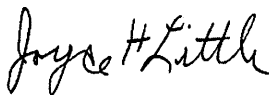
**A Note to Readers:**

This report contains a summary of the impressions and perceptions shared first by the District Task Force, then in interviews by parents, District staff, teachers, and administrators. Note that this is not a report of findings of a study conducted in the District. That work is for others to do. Key2Ed has collected and summarized what the Task Force members and the interviewees have shared with us regarding concerns and issues about the District special educations programs that are the source of disputes and conflict between school staff and families. No comments, perceptions, or opinions are attributed to any individuals; rather, the comments are summarized and synthesized to provide a collection of the concerns shared with us.

Your task is to read through this report, and as you read through this draft, make sure that we have accurately captured the essence of what was shared with us. Note that there may be specific things which you said that might not be included here, and there may be things reported here that others said with which you do not agree. Please look over this draft to ensure that we captured the most important issues that you and the other Task Force members and interviewees shared with us.

Please **do not circulate** this report, as it is still in draft form. The draft is being shared with the Task Force members, District office administrators, and all those who participated in the interviews. Once it is finalized, the report will be made public. ***Please email to the Key2Ed partners any remarks regarding the accuracy of the draft no later than February 27, 2020.***

We want to thank everyone who took time and dispensed a great deal of effort to participate in this process. Everyone who participated offered their perceptions frankly and openly. We appreciate your support in this, our initial effort, in implementing this process.



Joyce Little, Ed.D.  
Founding Partner



Cassie Velasquez, M.Ed., MDR  
Managing Partner

## **BACKGROUND:**

### **About Key2Ed**

Key2Ed is a consulting company founded in 1998 under the name of JDL Associates (the name was changed in 2004 to Key2Ed). Key2Ed provides consulting services and trainings primarily about special education issues for public school districts and state education agencies. Key2Ed developed IEP Facilitation and has been recognized as the national authority on IEP Facilitation. Since 2002, IEP Facilitation has been declared an exemplary practice for conducting IEP meetings by the US Department of Education. IEP Facilitation is considered best practice to prevent and resolve conflict between families and schools. Key2Ed also conducts audits and reviews of special education programs for districts. In 2018, Key2Ed began developing the Task Force/Devising Seminar process to use with districts to reduce or even eliminate conflict about special education issues between families and school staff at an organizational level. Greenwich Public Schools agreed to be the *beta*/pilot for this process.

### **About the Task Force and Devising Seminar Process**

The "***Task Force and Devising Seminar***" process solicits information to identify the *strengths and challenges* within the District special education programs from all District Stakeholders, and then assists a group that is representative of all those Stakeholders to collaborate and develop their own solutions for the identified challenges, rather than the consultants alone supplying those solutions. This process ensures that all the Stakeholder groups have a voice in suggesting and developing the solutions, and the solutions are therefore responsive to their underlying concerns, leading to a greater likelihood that the solutions can be implemented.

## **METHODOLOGY**

The whole purpose of this process is to develop solutions that reduce conflict by meeting Stakeholder needs. The Task Force and Devising Seminar process has multiple stages. The information gathered was not verified with observations or with data collection; rather, the perceptions that were shared during the process by both the Task Force members and the interview participants are reported here as the beliefs and perceptions of those who shared them.

### **Stage One: Task Force**

The Task Force members were selected by District central office administration. The Task Force was comprised of fifteen members. These members included District and school administrators (including the superintendent), five parents, general and special education teachers, and a member of the community. Key2Ed advised the District on the makeup of the Task Force, and encouraged the District to select representatives from all the various

Stakeholder groups that have strong interest in the District special education process and procedure.

The Task Force met and developed a list of strengths and challenges in the three major areas of special education services and process (1. Interventions/Response to Intervention [RTI], 2. Evaluations & PPT Meetings, and 3. IEP Implementation. The strengths and challenges identified were specifically limited to what issues are the root causes of conflict and disputes between families and the District.

The Task Force agreed that there are “pockets” in the District where processes are being done well, and both staff and families are satisfied, and there are “pockets” where processes and procedures are not done well, and, as a consequence, families and staff are dissatisfied, and in conflict.

Task Force Meeting: **November 11, 2019 6:00pm – 9:00pm**

### TASK FORCE REPORT

#### *INTERVENTIONS (RTI/MTTS)*

Strengths: Interventions (RTI/MTSS)		
Results	Process	Relationships
Accountability for general education teachers/ differentiation of instruction	All schools have been trained in PBIS	Positive school culture
	Timeline and data collection regarding the process of interventions	Parents get affirmation and support
	Analyze and identify students who need intervention	
	Promotes shared responsibility and resources, as well as collaboration with external partners	
	Reading screening interventions/ process are improving	

Challenges: Interventions (RTI/MTSS)		
Results	Process	Relationships
Behavior goes unaddressed	Length of Interventions	
Math interventions	Type of Interventions tried does not change	
	Parents lack understanding about tiers of intervention and how to navigate the system/intervention process	
	Shortage of staff to address interventions	

	Lack of understanding between interventions and the special-ed process	
	Inconsistent process across the District	
	Unsure of who is in charge of interventions	

**INITIAL EVALUATIONS/ASSESSMENT/PPT MEETING**

<b>Strengths: Initial Evaluations/Assessment/PPT Meeting</b>		
<b>Results</b>	<b>Process</b>	<b>Relationships</b>
Highly specialized, competent, thorough & confident evaluation teams	Use of laymen's terms	Personalized evaluations
	Parent attendance and child attendance and participation at meetings as appropriate	Good communication among PPT team members characterized by professionalism and respect throughout the evaluation process (before, during & after), and with no time limits on child-centered discussions
	Professional development re: assessment tools	
	Translation provided at PPT and bilingual evaluations done internally	
	Transition meetings between schools	

<b>Challenges: Initial Evaluations/Assessment/PPT Meeting</b>		
<b>Results</b>	<b>Process</b>	<b>Relationships</b>
Lack of knowledge of student needs at middle school	Inconsistencies among schools regarding the PPT process, and the knowledge of administration regarding special education	In PPT, nothing changes from draft – parents feel pre-determination
Recommendations to be included in evaluation report	Lack of parent understanding of PPT process and the IEP document	Lack of collaboration
IEP is not individualized	Time and scheduling issues for evaluations/ assessments & PPT meetings at the different levels	Parents feel the IEP document isn't well explained
	Vague Language in IEP	
	Evaluators not a part of PPT team in making recommendations	
	Sharing evaluation results in a timely manner	
	Translation in PPT meetings	

## IMPLEMENTING IEP DOCUMENT

Strengths: Implementing IEP Document		
Results	Process	Relationships
Knowledgeable staff	Program options and resources	Partnership with community providers
	Adequate system for sharing IEP document for staff that are implementing	Communication fluid
	Flexibility in revising IEPs as necessary and for teachers trying new strategies	
	Comments added to progress reports – informs parents and staff – helps with accountability	
	Inclusion/ flexibility re: push in services	

Challenges: Implementing IEP Document		
Results	Process	Relationships
Lack of understanding of goals progress and district testing and state testing	Accommodations for District or statewide assessment	Parent confusion re: results of state testing
Growth vs scores	Lack of training for those working with kids with autism	Lack of understanding re students with special needs
Limited and/or lack of self-contained programs for children with autism	Transition from a self-contained class to less restrictive environment (from a self-contained class to a class that isn't a self-contained program, ex: Pre-k to k)	Lack of understanding from staff and parents re: homogeneous vs heterogeneous grouping/push in vs pull out options/inclusion vs self-contained
Lack of addressing sensory and social skills issues for students with autism	Space and setting issues in schools	Social implications of student's program
Meeting specific student needs re: timing/ needs/ schedule		

### Stage Two: Interviews

The Key2Ed partners then set up and conducted interviews with 99 participants. These included 62 parents, 37 staff (service providers, general and special education teachers, and administrators). The interviews were conducted by phone, Zoom video conference, FaceTime, and in person.

To prepare for the interview, all interviewees were given the Task Force meeting notes in advance. They were asked to think about what they wished to affirm, based on their experiences and observations, and what they may be able to add.

The purpose of the Task Force and the interviews was to identify strengths and challenges in three gross areas of special education, specifically as these strengths and

challenges are the genesis of disputes and conflict between and among District staff and families. The goal was not to gather information about the District to vindicate or to villainize, but rather to focus on opportunities that Stakeholders could work together to find mutually agreeable solutions. The areas of focus include: 1) Interventions (Response to Interventions/RTI), 2) Assessment/Evaluations & the PPT Meeting Process and 3) IEP Implementation.

While almost all interviewees were eager to discuss their personal experiences and frustrations about the District's flaws and failures, this is not an exhaustive study of all the personal concerns of individuals. This is a high-level synthesis of what was shared during the interviews. This report does not contain individual facts, but rather the key main ideas that are actionable.

### **Stages Yet to Be Completed:**

#### **Stage Three: Selection of Key Issues**

The Task Force will work with District administration to select two key issues where multi-Stakeholder collaborative problem solving has the potential to lead to solutions.

#### **Stage Four: Devising Seminar**

The Task Force will then think creatively to generate creative solutions to the two key issues, to be implemented district-wide, with the intent to reduce conflict and disputes between families and district staff, including central office level and school site administration and staff. Through this process, they will consider suggestions for solutions that were shared by participants in the interview process.

### **SUMMARY AND IMPRESSIONS AS SHARED BY INTERVIEWEES**

#### ***Overarching Concerns Across All Areas***

- Communication – miscommunication, lack of communication, unclear and incomplete communication, from school staff, from parents, and administration, between, among, and with each other, oral and written
  - Both parents and staff are perceived by each other not to listen carefully to each other, and some parents and some staff do not always ask for explanation and clarification
  - Frequently, both staff and parents seem to communicate as adversaries, rather than as allies working together for the students. Some parents state this is because they are not listened to, until they retain an advocate and take a threatening posture. Many staff stated that they become defensive and close down when parents threaten.



- There appeared to be a visceral sense among many interviewees that they have been treated badly and unfairly, and most parties (parents, school staff, and administration) felt that trusting individuals on the other side was a major challenge. Many interviewees appeared to feel justified in their mistrust of others (parents for staff, and vice versa), but emphasized that the mistrust directed toward *them* was without merit and was maliciously motivated.
- When many parents were interviewed, they expressed significant distrust of District special education administration and also some site level administrators.
- Many parents reported that they do not understand and/or are confused regarding many aspects of general and special education
  - Many parents feel that they are not perceived or treated as customers, difficult or not, by staff, and administrators (District and school site), or as partners in the education process for their child
  - Many District administrators reported that they see a tremendous need for parent training and education around special education as well as general education processes and procedures
- Many parents feel that District teachers and staff need training/professional development regarding instructional strategies, and also on staff and teachers' responsibilities and obligations in serving students with special needs.
- Many parents feel that District level special education administrators do not wish to work with them. These parents reported their impressions that these District level administrators lack empathy for them, as parents, and for their students.
  - Some parents feel that District level staff only wants to stymie allocation of services to students, and are perceived as blockers for obtaining services for their children.
  - Many parents alleged that school staff would serve the students better, but their efforts are being quashed by District level staff.
  - Some parents alleged that District special education administration has engaged in "criminal behavior" in some instances.

### ***Interventions/Response to Intervention (RTI)***

- Parents and staff that were either interviewed or were part of the Task Force agreed overwhelmingly that Interventions (Response to Interventions, RTI) as an approach preceding evaluation and possible placement in special education are not effective. Perceptions about the interventions noted by interviewees included:
  - The process causes delays in effective services to students.
  - Data and results may be collected by teachers and staff, but many staff and parents reported that it is unclear how those data are being used.

- Many parents state that they are not informed of students' progress throughout the RTI process. Some parents reported that they felt that student data was made up or manipulated.
- Some parents stated that they perceive that the District mantra is: "*delay and deny.*" The parents who shared this perception stated that they feel that the RTI is used merely as a barrier to getting students identified and served in special education.
- Reading interventions at the elementary level generally appear to be valued by both staff and parents. The lack of adequate math interventions was mentioned by several staff and parents.
- The lack of adequate interventions and assistance with behavior issues was mentioned by many staff and parents. This was discussed for both students on the autism spectrum as well as students with psycho-emotional and psycho-social behavioral issues.
- Administrators, staff, and parents seemed to agree overwhelmingly that the interventions offered and employed are inconsistent across the District.
- Several parents report that they feel the need to "lawyer up" in order to get what their children need.
- Many staff and parents both report that there is a lack of staff to handle the needs/interventions of students.

### ***Evaluations & PPT Meetings***

- **Assessments/evaluations**
  - Many parents feel that evaluations for students are not conducted quickly enough, and that students languish without necessary assistance.
  - There is discord regarding independent educational evaluations (IEE), and the acceptance of the results from these, and incorporation of recommendations from IEEs into students' plans. Some school staff reported that they feel the results of these IEEs are inaccurate, and many parents reported that they felt that they needed to get these IEEs, because the District evaluations was inadequate.
  - Some staff alleged that outside evaluators use inappropriate assessment instruments, and several parents alleged that the assessment instruments the District staff used were inappropriate or out of date.
  - Some parents suspect that evaluations are denied because of a directive from "downtown", despite the teacher's feeling that the child needs it.
  - Staff report the need for more staff to do the evaluations so that they can go back to being a part of the PPT meeting.
  - Some parents reported that the evaluation team was invaluable and worked tirelessly to try to identify their child's needs. One parent referred to the evaluation team as "their angels of special ed."
  - Several parents and some staff stated that they wanted the evaluation team personnel to attend the PPT meeting in its entirety, as the evaluators would be

helpful in writing up the IEP, and in collaborating on the appropriate services for the student.

- A couple of parents alleged that their child was not reevaluated every three years, and these students had been in the District for several years. These parents stated that the students did not receive a triennial evaluation multiple times during the years.
- Some staff reported that they hold multiple meetings with parents prior to the PPT, so that parents can have their questions answered, and be prepared for the actual PPT meeting. These staff members expressed concern that all the District schools weren't using such a model.
- IEP documents are seen as bureaucratic and unclear by most parents and by many staff
  - Many staff members recognized the need to explain the document and process to the parents, but they also said that they do not feel that there is adequate time to do this
  - Many parents shared that when they ask for clarification, they are brushed off, or hurried through explanations.
  - Almost all parents discussed the feelings they have of being overwhelmed and alone as they move through the PPT meeting process. Some parents said that this is why they secured the services of an advocate, to just help them
  - Some parents state that they request PPT meetings, because, when they ask for a parent/staff conference meeting, they are denied access to any minutes or notes from the meeting, that they are not permitted to tape these meetings, and that they do not understand and/or cannot remember decision points without some notes.
- Many staff feel that they are unable to speak freely in PPT meetings, These staff members expressed the concern that if they share something that the superiors might disagree with, even if the staff members believes it to be in the best interest of the child, there might be some form of retribution against them.
- Many parents and also staff reported that many assistant principals lack knowledge regarding the PPT meeting process, and also the IEP document; therefore, parents and staff state that the assistant principals provide incorrect information
- Several parents shared that they came into the District trusting that the professionals were doing what is right for their child. Then these parents retained legal counsel or an advocate; the advocate informed these parents that the District had not been providing appropriate services for their child. These parents felt that they could no longer trust the district.
- Some parents allege that there is criminal behavior "downtown" (District office special education administration) and reported that they were forced to sign non-disclosure

agreements, so that others would not find out about these criminal behaviors on the part of District personnel, as well as the amount of any monetary settlement.

- Some parents report that school administration is not child-centered and that many schools are out of compliance regarding providing accessibility for students with disabilities.
- Based on the perceptions of almost all parents and many staff, the time allowances for PPT meetings is not adequate for most PPT teams to accomplish the necessary tasks and discussions among the team members.
  - Administration and staff feel there are too many meetings and too little time
  - Most parents feel they are rushed through meetings, because of time constraints, and as a consequence, they feel disrespected, and that they are not viewed as real partners in the process, and that they are not receiving all the information they need to make quality decisions for their child
  - Staff feel they prepare good quality draft IEPs, and that they have pre-PPT meetings, and that they arrive at PPT meetings, prepared to conduct the meetings, share information, and participate. But parents often perceive that these pre-PPT meetings are where staff and administration are making predetermining decisions without them, and that they, the parents, have no real say in the decisions.
  - Many staff members stated that they feel rushed through PPT meetings because of the pressure to hold meetings according to the deadlines/timeline requirements. Many staff stated there are more meetings than time to hold them.
  - Most school site administrators feel that a PPT meeting should be over in no more than an hour, and many schools schedule PPT meetings, one right after the other each hour, and the PPT meetings are only scheduled on a couple of days per week. When asked about the possibility that some PPT meetings will take longer than an hour, due to the nature and complexity of the discussions that are needed at some PPT meetings, some site administrators scoffed at this idea, and stated that longer meetings “just aren’t going to happen.”
  - These additional PPT requested by parents appear to add even more PPT meetings for site administrators and school staff to manage, and many site administrators and school staff feel they are already overwhelmed with the number of PPT meetings.

### ***IEP Implementation***

- Many parents stated that they are not receiving adequate or frequent enough updates regarding the students’ progress towards their IEP goals.

- Few parents who were interviewed shared any information or perceptions about the District special education preschool program. Those who did comment about the preschool program shared generally positive comments and impressions.
- A couple of parents commented that they had requested that their child be retained in the preschool program, rather than transitioning to kindergarten, when the child reached the appropriate age to matriculate to that next level. These parents then stated that this request was denied, and that their children were unsuccessful in kindergarten, and these parents blamed this lack of student success on the decision to move the student to kindergarten when the child was not ready. The parent also shared that they did not feel the supports for their students were adequate once they reached kindergarten.
- There is confusion among many parents and some staff regarding the relationship between progress on IEP goals and performance on state assessments and also the individual evaluations used as part of reassessment including the triennials.
- When students are evaluated and judged to no longer need special education services, or to be no longer eligible for services, many parents and staff report that students are dismissed from special education, and that there are inadequate provisions for follow-up or check-ins with the student to determine if the students are continuing to be successful without the special education supports. Both parents and staff reported that, most times, there are no action plan/next steps discussed among the PPT team, or provided to the family or the student. This was reported by many staff and parents, despite the fact that parents said that they requested some assistance for the student following release from special education.
- At the secondary level, several parents shared their concerns that gen ed teachers do not appear to be aware of the modifications that the student requires, and that are stated in the student's IEP. Some parents reported that, when they tried to discuss these failures in IEP implementation, some site administrators stated they could not really ask teachers to do anything additional, because it would encroach on the teacher's "academic freedom."
- Some parents reported that high school teachers simply ignored the requirements in their child's 504 plan, and later their IEP, and as a result, the students' grades were affected, which ultimately affected the students' admission to college.
- Many staff that were interviewed stated that there are inadequate staff and time to address the workloads they have, especially at the secondary level. There was great concern expressed by many staff about the reduction of instructional aides.

- The District primarily utilizes an inclusion model, and instructional support is provided by special education teachers at each site. There was praise for this model expressed by some families, who stated that they moved to Greenwich specifically so that their child would receive services using this model. Other parents expressed concern about the model, and want a special class model for their students, especially for students with autism.
- Many parents and staff reported that it is their perception that there is not a full continuum of services, and that all students are simply put in general education classes without adequate support for the students. Some parent said that there was a complete lack of academic support for their students in general ed classes. Some parents shared that students who are on the autism spectrum and are gifted do not have adequate options to address their child's particular learning needs.
- Many staff said they lack adequate space in which to work with students.
- Staff reports that caseloads are overloaded, so much so, that staff feels that they are unable to meet the legal requirements of the IEP's.
- Some parents and also staff reported that they felt students identified as needing special education services at the high school level are leveled into only a certain set of lower level academic classes, and that these classes are overloaded with students who have IEPs. One person who was interviewed referred to this practice as making "special ed ghetto classes."
- Some parents expressed concern that their students were unable to access the more advanced classes at the secondary level, for some courses even though the student displayed a gift for the subject matter covered by these courses, such as math. These parents explained that the advanced classes were unavailable to the student, because the student was identified as needing special education services, and that it was school policy that, even though there were areas where the student might be gifted, they could not have access to those classes for which the student demonstrated proclivity for the subject matter, because they were identified as a special education student, and could only have access to special ed level classes.
- A couple of parents expressed concern that, at the high school level, there are inadequate options for both classes and clubs/activities for students who are not college bound, and who might be interested in technical classes, such as software coding. One parent stated that their student was unable to access ANY extracurricular activities at the high school because the student had been moved to an alternative education setting for academic classes.

- Several parents reported that their students were unprepared for the transition from elementary to middle school, or from middle school to high school, or from an outside placement where the students were in small classes to middle or high school classes. These parents stated that their students felt overwhelmed, stressed, and rather lost. Many reported that there was no emotional counseling or support for the students who were experiencing anxiety over these transitions.

DRAFT



# Attachment G - 5 pages

**TOWN OF GREENWICH  
BOARD OF ESTIMATE AND TAXATION BUDGET COMMITTEE  
BUDGET PRESENTATION AND PUBLIC HEARING FOR FY2020-2021 BUDGET**

**MINUTES**

Town Hall Meeting Room  
Thursday, January 23, 2020, 6:00 P.M.

- Committee: Leslie Tarkington, Chair; Debra Hess, Leslie Moriarty, Jeffrey S. Ramer
- Board: Michael Mason, Chairman; William Drake; Andreas Duus; Laura Erickson; Karen Fassuliotis; Elizabeth K. Krumeich; Miriam Kreuzer; David Weisbrod
- Selectmen: Fred Camillo, First Selectman; Jill Oberlander, Selectperson; Lauren Rabin, Selectwoman
- Staff: Carolyn Baisley, Director, Health Department; Benjamin Branyan Town Administrator; Tom Greco, Assistant Director, Parks & Recreation; Barbara Heins, Executive Ass't to First Selectman; Tom Klein, Director, IT Department; Blaize Levitan, Senior Management Analyst; Peter Mynarski, Comptroller; Barbara Ormerod-Glynn, Director, Greenwich Library; Amy Seibert, Commissioner, Department of Public Works; Joseph Siciliano, Director, Parks & Recreation
- BOE/GPS: Peter Bernstein, Chairman, Board of Education (BOE); Dr. Toni Jones, Superintendent of Greenwich Public Schools (GPS); Dr. E. Ann Carabillo, Deputy Superintendent, GPS; Mary Forde, Chief Pupil Personnel Service Office, GPS; Karen Hirsch, BOE; Sean O'Keefe, Chief Operations Officer, GPS; Dan Watson, Director of Facilities, GPS
- RTM: Bruce Pflug (D5, Finance Cmte); William Galvin (D7, Vice Chair Health & Human Services); Brooks Harris (D10, Finance); Lucia Jansen (D7, Chair Budget Overview Cmte); Danyal Ozizmir (D5, Vice Chair Budget Overview Cmte); Molly Saleeby (D8, Finance)
- Public: Ken Borsuk, Reporter, Greenwich Time; Dennis Yeskey, Alternate Member, Planning & Zoning

Budget Committee Chair Tarkington called the Meeting to order at 6:02 P.M. and welcomed the audience to presentations by the First Selectman and the Chairman of the Board of Education of the recommended FY2020-2021 Budgets. Attendees were invited to upcoming Departmental Review Hearings taking place over the next six weeks, to understand the budget details and decision-making process required to determine the BET recommended budget. Ms. Tarkington commented that the Departmental Review Hearings could be attended in-person or watched live on either Greenwich public broadcast Channel 79 or on YouTube. A schedule of the Budget Committee's Departmental Review Hearings is available on the Town website's calendar. The Budget Committee will vote on its recommended budget on March 2<sup>nd</sup>, and if necessary, March 3<sup>rd</sup>. The Budget then moves to the full BET for a Public Hearing on March 30<sup>th</sup>. A Budget Workshop will take place on March 31<sup>st</sup>, and then the BET will vote on the recommended budget on April 2<sup>nd</sup>. The RTM will vote on the recommended budget at its May 11, 2020 meeting. Ms. Tarkington noted that this evening's Public Hearing was an opportunity for public comment, which would begin at the conclusion of presentations by the First Selectman Fred Camillo and Mr. Peter



Bernstein, Chairman of the Board of Education. and Dr. Toni Jones, Superintendent, Greenwich Public Schools.

### **PROPOSED BUDGET FY2019-2020**

First Selectman Camillo presented his recommended FY2020-2021 Budget and thanked his staff for their professionalism and contribution to its preparation. He welcomed the Board of Estimate & Taxation (BET), members of the Board of Education (BOE) and Greenwich Public Schools (GPS), Representative Town Meeting members (RTM) and members of the community.

Mr. Camillo reviewed the BET Budget Guidelines and then introduced his recommended FY2020-2021 Budget noting that it reflected an overall increase of 3.02% to \$457,583.151 in expenditures supported by a Mill Rate increase of 2.53%. The Presentation included an overview of the budget's goal, objectives and challenges as well as highlights of its anticipated revenues and expenses. Mr. Camillo noted that it was not a status quo budget, but rather would include reductions in subsidy support to The Nathaniel Witherell, a pay-as-you throw (PAYT) program to support waste management and a proposal to reduce Town employee headcount. The Budget's capital improvement projects and initiatives include: cyber security and school soil remediation initiatives; Eastern Greenwich Civic Center replacement; improvement to the Dorothy Hamill Rink and GHS Cardinal Field; architectural and engineering for the renovation of Julian Curtiss Elementary School; a permanent facility for GEMS Station 4; and Roger Sherman Baldwin Park restoration and work facility relocations.

Mr. Camillo concluded his remarks acknowledging the Town's culture of volunteerism and his intention to pursue public/private partnerships as vital contributions to the Town's future.

## **SUBJECT TO APPROVAL**

Mr. Peter Bernstein, Chairman of the BOE, presented an overview of the BOE's proposed fiscal year 2020-2021 Operating Budget for Greenwich schools of \$166,631,476, an increase of 2.0%, and within the BET Guidelines; and, a Capital Budget of \$35,755,000 that included costs for major projects (\$22,510,000), annual infrastructure/maintenance improvements of \$11,567,000, and technology software/hardware in support of the digital learning program (\$1,678,000). To meet the stated budget guidelines overall enrollment decline, and the increase of 200 students in special education, efficiencies, headcount reductions, and deferrals were taken for savings of \$1,000,000. Dr. Jones explained how the budget was designed to meet the strategic plan's mission to assist student growth in academic, interpersonal and extracurricular areas and provided statistics of student outcomes, including 81% of students meeting or exceeding their expected growth. GPS scored in the top 15% of all state schools in Next Generation Science Standards. Commenting that enrollment was projected to be reduced by 48 students in the coming year, Dr. Jones noted that contractual obligations of salaries, transportation, utilities and facility operations will increase by \$3.1 million, which represents 1.92% of the total 2.0% increase. Revenue from state and federal cost-sharing, grants and community agency instructional partnerships contribute supplemental revenue. BlumShapiro, providing ongoing consulting on the BOE Capital Project Operational Assessment Study, continues to assist in establishing a strong capital project system and a future implementation of an asset management system. The full discussion of the BOE budget is scheduled for Thursday, January 30<sup>th</sup>.

### **PUBLIC HEARING**

Ms. Tarkington opened the Public Hearing at 7:00 P.M.

The following speakers addressed the Committee:

- Jen Bencivengo - Principal, Old Greenwich: spoke in support of the full BOE budget; and in support of the feasibility study for Old Greenwich Elementary School for ADA accessibility.
- Christina Broderick and Carolyn Petersen - Co-Presidents Old Greenwich School PTA: spoke in support of the Old Greenwich Elementary School feasibility study to implement infrastructure improvements.
- Meg Nolan - President of Old Greenwich Association: spoke in support of Old Greenwich Elementary School feasibility study; spoke in support of the full BOE budget.
- Danyal Ozizmir - RTM D5, Vice Chair, Budget Overview Committee: spoke in support of First Selectman's Budget items and added a lot of the Budget Guidelines items were met; spoke in support of the Budget Committee pursuing its request for the identification of an additional \$2 million in savings from Town and BOE budgets; expressed concern about impact of next year's shift of property taxes from back country to other sections of town expected in the 2020 Revaluation.
- Bruce Pflug - RTM D5, Finance Committee: spoke about concern over 20% increase in capital projects; in support of clarification of the amount of state reimbursable improvements to the Sound Beach Avenue Bridge; in opposition to the BOE Capital Budget increase of 37%; concern about expense of sewer force main improvement project; spoke in opposition to increasing cost of Nathaniel Witherell.
- Brooks Harris - RTM D10, Finance Committee: spoke about the ongoing challenge with budgets increasing at a greater rate than the grand list; in opposition to the size of the BOE Capital plan; spoke as an advocate of more robust long-term capital planning.
- Julie Deschamps - GRAB; GPS parent: spoke in support of capital project to install dishwashers in schools to be able to use reusable trays.
- Ali Ghiorse - GPS parent: spoke in opposition to single-use school lunch trays; spoke in support of reusable trays and school dishwasher installation capital project.
- Diane B. Otto - Greenwich resident: in support of maintaining police traffic officers on Greenwich Avenue as a resident with a disability; spoke to accident where she was hit by an SUV at Greenwich Avenue - Grigg Street intersection.
- Lucia Jansen - RTM D7, Chair Budget Overview Committee: spoke in favor of Town's triple-A rating for financial management; spoke in support of BOC annual goals letter being in support of BET Budget Guidelines but would want to see adoption of an additional \$2 million; spoke in support of reduction in the capital budget, partially due to the amount of open capital projects of \$100 million.
- Cricket Dymont and Brian Peldunas - President and First Vice President of PTA Council: spoke in support of BOE operating budget; spoke in support of BOE capital budget maintenance, upgrades and capital investment.

SUBJECT TO APPROVAL

- Susan Rudolf - Greenwich resident: spoke in favor of installation of natural grass at Central Middle School playing fields.
  - Arthur Yee MD - GPS parent: spoke in support of installation of natural grass on Central Middle School playing fields.
  - Ellen Wolfson - Commission on Aging Board member, retired MD: spoke in support of adding a part time employee to Senior Center staffing at \$10,000; "Age Friendly Community".
  - Jennifer and Alon Kutai - GPS special education student's parents: spoke in support of increasing funding to GPS special education program and better implementation of the program.
  - Michael Goff - GPS special education student's parent: spoke in support of increased investment in GPS special education; identified increasing trend in litigation for services; spoke in favor of a survey of all GPS educators and special education students' parents for understanding of facts.
  - Carolyn and Ed Lermun - GPS special education students' parents: spoke in support of increasing budget for programs, personnel and staff training for special education program providers.
  - Audra O'Donovan - GPS Special Education student's parent: spoke in support of increasing GPS special education funding; spoke for better implementation of programs; spoke for better support for teachers.
  - Pat Coleman - GPS Special Education student's parent: spoke in support that special ed is a leadership issue which needs to be addressed openly and in depth and wants to hear that this issue is being addressed by BOE members; no child should be left behind and dollars should be spent properly.
  - Lindsey Fahey - GPS Special Education student's parent: spoke for better special education services and increased special education funding; spoke in support of greater oversight of special education program including faculty and legal claim payouts.
  - Diana Martinez - GPS special education student's parent: spoke for better special education services and in support of increased Special Education budget for faculty training and paraprofessional salaries.
  - Lucy von Brachel - RTM D4, Transportation Committee: spoke in opposition to "mill rate" as sole focus of budget development and measurement of taxpayer satisfaction with Town Services; supports focus on benefits as well as costs.
  - Laura Kostin - RTM D8, Budget Overview Committee (BOC): identified that BOC Goals Letter was not voted on by the Committee; spoke in support of full BOE budget without any reductions.
- Molly Saleeby - RTM D8, BOC: identified that BOC Goals Letter was not voted on by the Committee; spoke in opposition to BOC Goal's Letter recommendation to close-out a

SUBJECT TO APPROVAL

project before new projects can commence; spoke in support of increasing special education budget; spoke in support of transparency of public/private partnership policy.

- Warren Silver - Spoke in support of grass fields for Central Middle School.
- Liane Tel – GPS student’s parent: spoke in support of grass playing fields for Central Middle School.
- Doreen Pearson - RTM D7: spoke of concern about tax-exempt institutions expansion into residential neighborhoods and the individual cost in terms of time and expense to fight the growth; spoke in favor of need for payment-in-lieu-of-taxes program to support TOG expenses.
- Tony Tumer - GPS special education student parent: spoke in support of audit of special education program spending to identify root problems and make changes.
- Michael Baumgarten - Riverside resident: spoke in support of full BOE budget, which attracts young families to move to Town.
- Clare Kilgallen - Byram resident: spoke in support of Senior Center infrastructure and additional \$10,000; spoke in favor of Old Greenwich School feasibility project; spoke in support of full budget as submitted.
- Lydia Plaskon - GPS special education student’s parent: spoke in support of better special education services and increased budget.
- Hector Arzeno - RTM D8, Finance and Greenwich High School tour guide: spoke to the need for improvement in the quality of the elementary and middle schools’ facilities.

SUBJECT TO APPROVAL

The Committee unanimously voted to adjourn the meeting at 8:36 P.M.

Respectfully submitted,

\_\_\_\_\_  
Catherine Sidor, Recording Secretary

\_\_\_\_\_  
Leslie L. Tarkington, Chair

## Attachment H - 2 pages

April 21, 2020

Dear Board of Estimate and Taxation Members,

First and foremost, we hope you and yours are healthy and remain so. I am reading a letter that has been sent to you by a large number of community members to implore you to fund our Special Education budget appropriately along with a special education audit. At the last public hearing and at every Board of Education meeting since June of 2019, parents have provided ample evidence of insufficient support for their children with special needs. This is a result of the program being underfunded. As you evaluate the special education budget, we ask for your earnest consideration of the following:

- Parents have repeatedly reported that special education teachers and paraprofessionals are trying their best, but they lack proper training and are stretched too thin.
- Parents have repeatedly reported their children regressing as a result of administrators minimizing their child's learning differences and denying services. This is due to an underfunded program with not enough services or service providers.
- Parents have repeatedly reported unconscionable delays in testing which in turn prevents early intervention which we all know is effective, cost efficient and in the best interest of our children.
- Recently, many GPS staff admitted that they are unable to speak freely on behalf of special education student needs for fear of retribution. This is reflective of a limited budget and lack of resources.
- The Greenwich Education Association President, Carol Sutton, reported at the February 2020 BOE meeting that **GPS teachers were unable to provide over 1,000 service hours that are federally mandated** because they are understaffed and overwhelmed. This has resulted in soaring outplacement costs which parents have won handily.

- At this same meeting, several teachers spoke out stating that there are systematic problems involving special education across the district including lack of training and staffing.
- Last year's preschool class had the most special education students GPS has ever seen in one class. With increasing special education needs on the horizon, the significant deficiencies in the current program will be magnified if changes are not made.
- Insufficient support for special education students results in a disservice to all children attending Greenwich Public Schools.

Now, more than ever, special education will need proper funding. Our most vulnerable children with special needs are regressing due to past failures in providing a free and appropriate public education. These failures have been further compounded by the school closure. Please ensure that our local educational authority is properly funded to serve ALL our children. Our Board of Education, parents and teachers have provided you with facts that support that they can NOT adequately perform their job under the current financial constraints. We ask you to use your elected position to create a budget that allows for all children to receive a free and appropriate public education.

Thank you,

Caroline Lerum and many special education parents who wish to remain anonymous

Attachment I - 1 page

Remote/ Hybrid Learning 2020-2021

Permission for Online Group Participation

Student Name:	
School:	

Please review and sign this form and return to your child's monitor :

NAME

EMAIL

Please check all that apply

- I give my permission for my child to participate in digital 1:1 and/or group Special Education and Related Services, (including Speech Therapy, Occupational Therapy, Physical Therapy and Counseling) during Remote and Hybrid Learning opportunities during the 2020-2021 year.
- I acknowledge that cross-cohorting will be done as little as possible, however my child's special education teachers/related service providers may be working outside of cohorts when providing services.
- I have been contacted by my child's special education teacher/related service provider and acknowledge that my child will be participating in a cross-cohort group for service in:

*All online sessions may be held with both teachers and/or supporting staff including Professional Assistants. I understand that at any time, I can revoke my consent and will do so in writing/email. I will honor the confidentiality of any students' identities that may be uncovered during the group session, as I would expect other parents' to honor the confidentiality of my student's participation in the group.*

*No video or audio recordings will be permitted by students or families during online instruction.*

Guardian Name:

Guardian Signature:

electronic signature permitted)

Date:



## Attachment J - 1 page

Dear Board of Education Members,

My name is Caroline Lerum and I'm here tonight to speak as the co-chair of the PTAC Special Education Support Committee. First, I'd like to thank everyone for all of the long hours it's taken to get school up and running. It's been a challenging process and I hope we can continue to work together to provide all GPS students a quality education despite these unprecedented times.

Currently, I am inundated with text messages and emails from special education families.

A concerning amount of remote families across the district are frustrated because of the changes that occurred after school began. After school began, remote families were made aware that there were no designated special education teachers for remote learners. In a number of cases parents had to initiate the conversation to learn of this development. Additionally, several remote and "in-person" families are reporting that they are receiving phone calls from the schools about services changing rather than receiving formal documentation – otherwise known as a Learning Model IEP Implementation Plan. Many families are unaware of what a Learning Model IEP Implementation Plan is.

There is also a permission form circulating that parents are being asked to sign. This form was sent to every special education student in the district for preemptive signatures without subsequent discussion. This form asks parents to give consent for their children to participate in remote services in a variety of unspecified ways with a variety of unspecified service providers. Families are concerned that the district can thus make unilateral decisions without consultation if they already have permission. Several parents have reached out as they are confused and/or uncomfortable signing this form and feel lost in this process.

As SES co-chair, I have been attending weekly sped focus groups (we had one last week – the day after school started) and there was no mention or explanation of the staffing changes. There was no district-wide outreach to the sped community to discuss the permission form despite many families vocalizing their unease with the document. For the past several weeks, SES reps have raised concerns regarding staffing, schedules, related services, etc). These concerns persist as some children are still without staff and lacking services. Parents are starting to worry and much of that worry is because there are still so many unanswered questions.

We suggested a weekly or biweekly sped newsletter in July. We have followed up several times. Despite these efforts, there is still no newsletter or updates for sped families. The communication gap (and thus frustration) with families is growing.

Please help our sped community - our most vulnerable children - feel more like a priority while navigating this school year. Parents are frequently using the terms "overlooked" and "afterthought" when it comes to special education. Now more than ever we need partnership, transparency and effective communication.



Attachment K - 6 pages

Greenwich Board of Education  
Greenwich Public Schools  
Greenwich, Connecticut

**Board of Education Public Comment – Oct. 22, 2020 Special Meeting**

**Submitted via BoardofEdMembers@greenwich.k12.ct.us**

**Emery Brenner Kafka**

Tue, Oct 20, 6:13 PM

to boardofedmembers

Dear Board of Education Members,

I sent an email to Toni Jones asking why the school playgrounds are not open to students while school is in session. Toni Jones' assistant, Linda Valentine responded "it is my understanding that the playgrounds are closed because we do not have the capability to properly clean them in between student use."

My question: Is there any discussion to put the efforts into finding a way to clean the school playgrounds? I know of nursery schools who have a way to clean their playgrounds in between groups.

Having the playgrounds closed is putting stress on the teachers during recess to keep the kids at safe distance and in a limited area. I would like to talk to someone who can take this issue further.

This social distancing could go on for a lot longer even into the next school year and I believe it is important to put our resources into fixing this issue.

Thank you.

Sincerely,  
Emery Kafka

**Nancy Lu**

Wed, Oct 21, 6:21 PM

to BoardofEdMembers

Dear Board of Education:

When I talk to students and families about their experiences with remote learning, many have been pleased by the great strides made since schools closed in March. However, a number of issues persist, which I've separated into two buckets. The first bucket is the stuff needed to learn remotely: access to materials, clear audio and visuals, internet connectivity, and space with few distractions. These are harder to address as they often require an in-depth look at individual circumstances. The second bucket, with which the Board can help, involves the many obstacles remote students face when they're required to show their learning, which puts remote learners at a disadvantage when compared to their in-person peers:

**Participating in class** - In high school, participation is an actual metric on which students are graded. Teachers out of habit often call on students in the classroom and forget to look for "hands raised" from their remote students. While some teachers have explicitly encouraged remote students to call out whenever they have a question or want to add to the conversation, other teachers haven't given such instructions and many students still wait to be called on

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Greenwich Public Schools  
Greenwich, Connecticut**

because of their training from middle school. Unable to get their teachers' attention and not knowing when to interject, some remote students feel shut out of participating which affects their grades and morale. These spontaneous interactions in the classroom which enliven and enrich learning and foster relationships are hard to replicate in remote learning, and place remote learners at a disadvantage. Without the same opportunities to participate, remote high schoolers are concerned they cannot be graded fairly.

**Demonstrating their knowledge through quizzes and tests** - Remote students have expressed frustration and anxiety at having to take tests remotely because they need to stop early, scan, upload, and send. Technical glitches come up often and for various reasons. Some teachers have been accommodating and extended one-time exceptions, but no one has the same policy. A tech-savvy GHS senior shared that while "many teachers are lenient regarding technical glitches, some expect the same timeliness that would be possible without distant learning." If this computer maven, who in his free time teaches computer skills to other kids, is having a hard time with the technical issues while remote, imagine how difficult these issues are for other remote learners who don't have the experience of working with high school teachers, computer apps, and equipment. In-person students have the comfort of supportive teachers nearby, are able to fully focus and use their entire class time to take tests, and never have to consider planning for the logistical challenges of submitting their work.

**Demonstrating responsibility** - Remote students sometimes experience problems logging in and miss the beginning of class. Teachers may be late or forget to start the link. Sometimes students have WiFi issues. In any case, if students are not present while attendance is taken, they are recorded as late or absent which becomes hard to correct. More problematic is when information pertinent to homework, quizzes, or tests are announced during this time or during a time that the WiFi blips out. When they miss important details in deadlines and content, remote students cannot adequately prepare for what's expected. Sometimes they are docked points for logistical mistakes: when homework and tests are scanned incorrectly, blurry or in the wrong format. Whether these points are recoverable and recorded promptly depend on the individual teacher.

While grades for elementary and middle school students aren't so important, grades for GHS students are significant. With 3 days of learning remotely, all GHS students are permanently impacted since their grades and attendance are recorded in the transcripts sent to college admissions offices. Remote students are being graded and compared to in-person students who can show their work/effort without disruptions or technological obstacles. Many teachers have independently adjusted their expectations for remote learning, but other teachers have not. To even out the inconsistencies in grading among individual teachers and alleviate the stress and structural disadvantages of remote learning, I encourage the Board to take up Mr. Sherr's suggestion of discussing interim grading policies, or provide guidance to administrators for maximum flexibility for time to log-in/update attendance, and scan homework and exams while students are in remote mode.

Respectfully

Nancy Lu  
Parent to full-time remote GHS and WMS students

**Greenwich Board of Education  
Greenwich Public Schools  
Greenwich, Connecticut**

**Maria Manuli**

Thu, Oct 22, 10:01 AM

to BoardofEdMembers, toni\_jones

Hello BOE members

Now that we're 6 weeks into the school year, I'd like to thank everyone for all their efforts in getting the kids back to school safely and back to somewhat normal learning environment.

My question as a parent of 2 high schoolers, a senior and freshman, is what is the next phase in getting our kids into more of in school environment? Happy that we started with the hybrid approach but students who clearly do not excel with remote learning now need to have additional in school options. Remote learning is not sustainable for long term education. They are falling behind, they feel that they can't keep up with their classes when they have questions and the long term effect of not going back to in school learning will put these kids at a disadvantage amongst their peers who are in other schools full time

When can students/families elect to put their kids into school 4 days a week? Is the option of in school learning 4 days a week and remote learning for those who are not comfortable on the table for discussion? Is there a phase in plan, similar to what some businesses are doing?

Greenwich has done very well with any cases reported but our high schoolers need to be back in school. The issues of technology not working at times make our kids feel they're missing the material being taught to those kids that are in school that day. Our children are missing out on learning to advocate for themselves if they don't understand material because they now have to wait to be in school on their day to talk to their teacher. Our children are missing out on getting help from their house resources for college because they have to set up google meetings or wait to see them when they're in a school.

This is not the education model we need to go forward. WMS took the lead to be the only middle school to go back 5 days a week and it's been excellent.. others are following .. it's time to address the older classmates

Thank you for your time .. looking forward to hearing the updates

Maria Manuli

**Name Removed**

Thu, Oct 22, 10:45 AM

to boardofedmembers

Hi Board of Ed Members,

I would like my name to be kept confidential since I am a teacher. It is in my opinion that the special education department at Greenwich High School is in need of dire help. Currently, special education teachers at the high school have upwards of 35 students on their caseloads. This number has slowly been increasing over the years but it has become unmanageable for teachers. This often means several PPTs a week, and very little time teaching to each student's individual needs.

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Greenwich Public Schools  
Greenwich, Connecticut**

Many of the special education academic lab teachers at the high school have no para-professional help. This means that if a student comes into our academic lab to have a test read to them (as stated on their IEP) and we simultaneously have a class going on, there is no one to service this child.

I believe this year was the breaking point for some special education teachers at the high school as they left for other positions.

At the start of this year, I was assigned to teach virtually at the elementary level. I was told I was going to have 9 students and 2 paras. The other special education teachers I was working with at this level felt like these numbers were "high". I was absolutely shocked. I was going to have 2 full-time assistants, and only 9 students?

There appears to be an extreme inequity between positions even within the district. I urge you to help make a change.

The special education department at GHS has been promised an increase in staff members for years. Year after year, no additional teachers have been hired, however, year after year, the case numbers have been increasing.

If 10 students are in an academic lab class at the same time, and a class is 53 minutes, by the time students come and sit down, each student has probably a max of 7 minutes of instructional time by their special education teacher. This is without disruptions, without being pulled into a meeting or a PPT.

The students of our district deserve better. They deserve to be serviced as the hours stated on their IEP.

Often, PPTs are also scheduled during our teaching blocks so this means that the students have zero time with their special education teacher. It can be difficult to find coverage for a class, so another special education teacher might be asked to cover both classes. Can you imagine how much instructional time students are then getting in that scenario?

I want to thank you for your time and I hope you can help make a change so we can better service our children. My suggestion would be to rehire para-professionals so one is designated to each academic lab. Additionally, several special education teachers should be hired to lighten the load.

I urge you to look at case numbers, not only within our district, but compare them to other districts. I have worked so far in two other districts, and I can say both districts had half the amount of students on one caseload.

Thank you for your time and assistance with this matter.

Best,

**Greenwich Board of Education  
Greenwich Public Schools  
Greenwich, Connecticut**

**Jon Loflin**

Thu, Oct 22, 3:45 PM

to Board, Peter\_Bernstein, Toni, Fred, Jill, Jeff, Fred, Lauren, peter, Peter, kathleen\_stowe @greenwich.k12.ct.us, Michael, Leslie, Linda, Harry, Jill, Elizabeth, Jeffrey, Miriam, Laura, David, Caroline

Dear Board of Education, Superintendent, and other interested parties:

Already, we have seen school closures in neighboring Westchester (in White Plains, Irvington, and Yonkers) and in Fairfield County — two Norwalk schools and now Darien High School this morning.

Darien High School has a mandatory mask rule, in addition to hand-washing, distancing, and school cleaning — the current plans are not sufficient.

Peak incidence for seasonal coronaviruses is December. It is reasonable to anticipate and prepare now for a 2x to 10x increase in COVID this December due to seasonal transmission effects.

Four simple mitigations that Greenwich Public Schools should implement as soon as possible:

- 1. On-site testing** — For teachers who OPT in, testing 1-2 times every week. Google now offers their Verily.com service — Ginkgo Bioworks offers a service — and there are other vendors.
- 2. Cohorting** — When a cohort member tests positive, that entire cohort should temporarily go remote (for perhaps 7+ or 10+ days).
- 3. Overnight heat** — Research shows increasing temperature by ~20 degrees overnight can cut the half-life of the virus by ~2x. Hence, cranking the heaters overnight to their MAX heat setting would be a cost-effective means to further 'deep clean' the facilities every night.
- 4. Humidifiers** — A growing body of research shows that ambient humidity reduces this and other viruses and aids the human protective systems. It would seem sensible to put at least one humidifier in every classroom this winter, in order to keep the indoor humidity over 40 percent. Humidifiers can cost as little as 30-60 dollars, sit on the floor, and plug into a regular outlet.

And then, if the numbers still climb unacceptably, as a last resort, throttle down to an optimized hybrid (not a 2on-5off rotation that brings students back on their day of peak contagiousness, as previously discussed).

We should especially seek to avoid a full-remote scenario for the entire Town. Let's do the simple, inexpensive, and reasonable things that maximize the number of on-site school-days this year.

Sincerely,

Jon Loflin

**Greenwich Board of Education  
Greenwich Public Schools  
Greenwich, Connecticut**

PS — If anyone would like to see research in support of the above, please reach out directly.