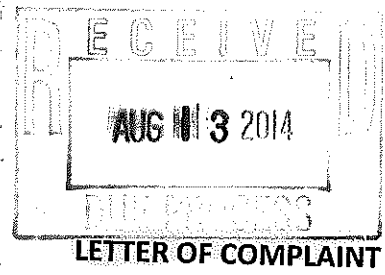


1.) sent before
2.) ADDENDUM (new) → back

August 9, 2014



TO: CT State Dept. of Education – Bureau of Special Ed

Student (special ed): [redacted] Gales Ferry, CT 06335* (Ledyard)
FR: Parents: [redacted]

School district: Ledyard Public Schools (LPS)

Outplacement: Learn-ABA; Lillie B. Haynes Elementary School, Niantic, CT
[reference, if needed: mediation/due process case no: 14-0443]

We register this complaint on behalf of our nearly 9 year old son, [redacted] What is in dispute is his district funded placement at Learn. It does not suit our child; the program structure offered is deficient and significantly less than what we had hoped for or were lead to believe. As such, he lags behind in academic and social skills. The placement, if one truly knows this child, is NOT.....'a free and appropriate education in the least restrictive environment'. We know this child can 'shine' in the right setting, given the chance. He deserves better.

Issues addressed herein:

- 1.) Parental concerns regarding placement were hardly considered, as required by federal mandate-IEP.
- 2.) IEP goals were established without parental input, as required by IDEA and suggested in NCLB.
- 3.) [redacted] at Learn has had no (real) exposure to 'typical' peers, either in the regular school year or in both the 2013 and 2014 ESYs despite promises or implied statements.
- 4.) [redacted] has no access to CCSS, state or district level assessments, for reasons unknown. LEARN clearly has low expectations for [redacted] excluding him as such. LPS says this is OK with the State of CT, which the advocacy organization CPAC informs us is NOT true, that all students are expected to participate at some level.
- 5.) Actual ABA therapy-discreet trials, implied usage, have not been utilized as far as we can determine.
- 6.) Curriculum: as far as we know, after multiple inquiries [redacted] has not been offered instruction in History, Science, social studies or PE.
- 7.) PPTs: staff present seems to a 'rotational' or in flux instead of more consistent.
- 8.) Staff – para experience

Placement. Underlying this dispute is the issue of both parties agreeing on the needs of the student. For years █████ attended his home schools, Gallup Hill and Gales Ferry Ele., in general ed classes with special ed supports and services. After we kept requesting that ABA therapy be incorporated and the district's refusal, we agreed to mediate. █████

Unfortunately, the district only fulfilled part of that obligation and paid for only the educational component. Even then, however, the results available and recommendations made were ignored anyway. LPS said they would not be able to fulfill recommendations in-house and we began to discuss outplacement. Initially, the discussion led an understanding that █████ mother, agreeing to look at three different schools. But before she could get to the Eastconn program to see it, she was told by the school that they had chosen the LEARN program, end of story.

We then agreed to try it because it was located in a public school (L.B. Haynes) and that he would have access to typical peers, something he had always had up until then, and something we felt was very important to his education and typical development. Unfortunately, that never came to pass at all (regular school or ESYs).

We requested on 7 occasions if █████ could be offered time with typical peers for at least part of his school day by way of venues he enjoys such as these classes: Music, Art and PC. Our inquiries were basically ignored.

We have written and said to LEARN/LPS on multiple occasions that for the last 10 months or so █████ is interested in typical peers and engages with them fairly well now as demonstrated in a church youth group and he now has friends (typicals) across the street that come and ask for him to play and vice versa (2 boys and 2 girls, age range 6 – 13 yrs old). LEARN has given him NO opportunities to be with Typicals and we are frustrated and sad. [is offered: sitting in the dining room at lunch with a staff member, segregated; a busy, noisy and distracting venue. How generous! He doesn't know anyone there and why would kid's approach/engage him sitting with a staff member?]

Placement considerations or benchmarks typically, it is our understanding, involve ABLE, VP-MAPP assessments if not also a BRIGGANCE and ecological assessments. Of these, only a partial BRIGGANCE was given to █████ and this was just this past May (2014)!

IEP. Parents were not consulted when his IEP(s) were formulated, as written earlier. We fail to comprehend and are frustrated by these facts:

- 1.) Without ABLE, VB-MAPP etc. how are benchmarks or goals or 'baselines' determined for an IEP?

- 2.) LEARN did not consult with or include Gales Ferry Elementary school staff in IEP determinations.
- 3.) IEP goals are written below his ability level. [REDACTED] had mastered some skills in his Kindergarten class (report card) and/or [REDACTED] daycare. Some of his class data shows repeated trials on this info with 100% accuracy over and over again. LEARN retains the same goals ignoring parent's pleas to increase the expectations. Thusly, [REDACTED] engagement becomes boredom or frustration and I don't think he can be blamed, as such.
- 4.) Reading goals at LEARN are not clear to parents. At home, mom can engage him in reading and was once called an 'emergent' reader.
- 5.) IEP: Typical peers !!

Curriculum:

Parents are not clear if [REDACTED] is offered a 1st or 2nd or 3rd grade curriculum. We have also made multiple inquiries as to whether or not [REDACTED] is offered: Art, Music, PE, Science, History, Social studies or PE. From the small amount of data that comes home or is sent electronically it appears to not be the case.

Abilities – Potential and 'Captured' Attention. We can document how, if you know him:

- 1.) [REDACTED] is keenly interested in reading, nature/science, people and he is quite curious. He is [REDACTED]
- 2.) Mom and sometimes others can find the right 'climate' or structure to motivate him, to grab his attention and work with him for hours at a time (2hr and sometimes more).
 - A.) Some of the work [REDACTED] is asked to do at Learn he had previously mastered at Pre-K, [REDACTED] daycare or 1st grade.
- 3.) The Gales Ferry School team in Jan. 2013 PPT notes wrote that [REDACTED] can, and had, done well in a typical Kindergarten and 1st grade 'with support' and that he had a 'unique' learning style.

LEARN classroom – Staff

We have not been able to determine what portion of [REDACTED] school day is 1:1 instruction in a quiet place and what subjects or activities are group efforts.

LEARN staffing seems to usually be in flux and levels of experience have not been easy to obtain. LEARN staff at PPTs is quite variable rather than consistent. We were told that the LEARN para-professionals are highly-trained, more so than at LPS, but when dad asked for more details in this regard, silence.

Some kids in the ESY'14 session seemed to have major behavior concerns and are also loud; not great peer models and a less than optimal setting conducive to learning.

- 1.) Were not fully completed, as agreed upon 2.) recommendations not implemented.

APPLIED BEHAVIORAL ANALYSIS (Learn ABA)

Mom and dad were under the impression that [REDACTED] would receive formal 'ABA' therapy with discreet trials. However, it doesn't seem to have happened at Learn thus far and we are uncertain as to who is qualified in ABA after multiple inquiries.

Staff Flux, Experience and PPT Participation.....Consistency

To parents frustration, there is frequent flux within LearnABA staffing and we have difficulty knowing how much experience [REDACTED] teachers/therapists have. PPTs always seem to have a different Learn 'cast' present or rotating. [REDACTED] and we also, would have appreciated more consistency.

RESOLUTION: [REDACTED] parents feel the LearnABA outplacement setting has too many deficiencies for him, details promised have not materialized, that he is unfairly isolated in a noisy, not conducive to learning, classroom and that the IEP 'in play', which we had no real participation/agreement with, is GENERIC rather than specific and below his abilities.

We feel that, truly, the best option for [REDACTED] is to return him to Gales Ferry Ele School-LPS 'with supports', clearly outlined, that will be motivating for him and he will be happy to be engaged with 'Typicals', as positive role models. That he could be pulled out of the regular classroom for therapies as needed (speech, OT eg. ?) and relax with just a 10 min ride home on the bus instead of the 60+min home from LearnABA.

- 1.) Program of FAPE in the LRE that is, or can be, LPS-Gales Ferry Ele school.
- 2.) Employ a mutually agreed upon independent Inclusion Facilitator that will help the team develop:
 - A.) Access to grade level curriculum and related goals.
 - B.) Including some actual ABA
 - C.) Special ed and related services
 - D.) Typical peers
 - E.) District and state level assessments.
 - F.) Calculated educational and social benefits.

Thank you for your considerations.

[REDACTED]

Distr: Parental addresses:

[REDACTED]

Note: 07.22.14 **parental statement – due process** previously sent to state: G. Mangs; MJ Schierberl. If the complaint dept. involves other individuals we could send this document along to said staff as well if they are interested. Contact mom [REDACTED]
Thanks

Supporting documents available.

DIST:

CT Dept. Ed:

Gail Mangs; Maryjean Schierberl

August 10, 2014

ADDENDUM: to Aug. 09, 2014 Letter of Complaint - CT Dept. of Education

Dist.:

Dent. Edu – Bureau of Special Ed (G. Mangs and/or MJ Schierberl and/or others)

High Hannah

██████████ speech seems to have improved noticeably since he's been at LEARN. Concurrently, mom has been able to get him more nicely engaged with children/people in the public domain. *If his speech is a direct result of LEARN ABA efforts than we are grateful.* Thanks .

LEARN seems to be a 'fun' place for ██████████ when we inquire with ██████████ to tell us something about his school day he mentions watching videos. However, a child's education, ours, has to be so much more than that. His parents assert herein, however, that the LEARN.ABA program, largely, as structured, does not 'fit' him.

The school work that comes home from LEARN in the school bag or, electronically, is very basic, previously mastered at an earlier age and very repetitive; he needs, in part, to be challenged a bit more to stave off boredom.

He needs a specific program, not generic; more exposure to typical peers in whom he is interested; not exclusively a noisy-chaotic (we're not sure) classroom only with children with major behavior-emotional concerns.

We believe he is NOT offered at LEARN:

- 1.) Std curriculum in these subject areas: science, history, social studies, real GYM.
- 2.) [?] Music, Art, Computer time - unsure
- 3.) Assessments – statewide or district or CCSS

Were LEARN staff to really 'know' ██████████ to discover his essence, you would discover a child that has both a phenomenal memory for things that interest him as well as an amazing sense of humor and I sometimes think even a precocious sense of irony. He is ██████████ curious and, of course, energetic. A distracted child? Yes, often. Yet mom, at home, has found ways, some basic and some creative, to capture his attention to stay on task for reasonable and sometimes quite productive intervals.