

THE HOUR

Advocacy Group Files Complaint against Norwalk over Special Ed

By Tatiana Flowers, with staff writer Linda Conner Lambeck
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NORWALK — The same watchdog group that has challenged Bridgeport and Hartford to do a better job by students with special needs now has its sights on Norwalk Public Schools.

The Center for Children's Advocacy (CCA), along with Special Education Equity for Kids of CT (SEEK), has filed a complaint with the state Department of Education alleging that the school district is systematically and pervasively violating state and federal laws that guarantee children a free and appropriate public education. The complaint focuses on 17 children in the district who represent a variety of ages, disabilities, income, race and ethnicity.

The complaint alleges that Norwalk Public Schools violated a law called Child Find by failing to determine students' eligibility for special education services. It also claims that after students were determined to need special education services, they were not actually provided for another seven or eight months. Furthermore, the district allegedly ignored parents' repeated requests for help when they learned their children were not receiving needed services.

In other instances, the school district also failed to intervene when students weren't progressing, said Robin Keller, a Norwalk attorney and member of SEEK. Keller, along with SEEK and CCA are named in the complaint as those filing on behalf of the parents and guardians of the 17 children in the Norwalk School District.

"What was egregious about that and why we're doing the systemic complaint, is that no kid in that school got their (Individualized Education Program) speech and language services," Keller said. "Norwalk knew there wasn't a provider, but they never informed the parents."

Among those CCA and SEEK are representing are a group of students with autism who were supposed to receive a specified amount of hours of speech and language services each week. Some student sessions were cut in half and others didn't receive the services at all, said Keller.

When parents suspected their children weren't receiving those services, they requested service logs, which confirmed those trends, said Jill Chuckas, an educational advocate and member of SEEK.

"One of the most interesting things to me is many of these children had IEPs that were developed that had specialized services and the district just didn't provide those services," Chuckas said. "Multiple preschool children had this particular issue."

Muna Hoque's son was one of those children. Hoque's son, who is autistic and nonverbal, is supposed to have a certified therapist with him at all times, as part of his IEP. In 2016, he was a pre-K student at Norwalk Early Childhood Center, which supports students with learning and developmental disabilities. He would come home frustrated and crying, Hoque said, which led her to believe something was wrong at school.

"Even though he's nonverbal, he's my son," she said. "I know him well." Hoque asked the school for its service log to check her son's progress but the school couldn't provide it. Hoque said she repeatedly reached out to his teacher, who was generally unresponsive and rude.

Now her son is a student at Rowayton Elementary School and she said he wasn't assigned a certified therapist for months. She said that during IEP meetings her requests are constantly denied even though her son is 6 years old and is at a 3-year-old's education level.

"He was given three days of therapy for half an hour, which is nothing for him," she said. Hoque said she's not an expert in special education services and she needs the district's help.

Chuckas and Keller said they're representing students of different ages, races and socioeconomic backgrounds but that there may be other families with language barriers who can't reach out but have these same concerns.

School district officials disagreed strongly with the complaint.

In the past year, 30 new special education teachers and social workers were hired, school officials said, also pointing to efforts to improve the district's offerings such as the recently opened Center for Specialized Learning in Literacy, the incorporation of therapeutic programs and a new program for students with autism.

"We are shocked and disappointed by the allegations made by Attorney Keller, given the significant investment that Norwalk has made in special education in the past two years," the school district said in a statement. "Our strong preference would have been for advocates and attorneys to encourage parents to resolve concerns in a collaborative manner, before filing a complaint which will redirect untold hours away from the supervision of quality services for students and in-school coaching for our staff. Over the past year, we have successfully resolved concerns when they have been brought to us."

"With the support of the Norwalk Special Education Development Fund, our district has made significant progress in revamping the delivery of services to special needs students, in alignment with recommendations in the 2015 CREC (Capitol Region Education Council) report," the statement continues. "Although special education remains a shortage area throughout the state, Norwalk has built a strong team of special education teachers and administrators. In the past year alone, we have hired over 30 new staff members, including special education teachers, speech pathologists, school psychologists, BCBAs (board certified behavior analysts) and social workers. The growth in program development and staff development has been unprecedented."

In recent years, Norwalk has worked with the Capitol Region Education Council to conduct reviews of special education programs. Still, the complaint said many of the issues raised in 2015 continue.

The group wants a corrective action plan that includes changes to records protocol and planning meetings scheduled with the impacted children within 30 days. They are also asking the state Department of Education to perform an audit of the Norwalk Public Schools' special education practices and for three years of independent monitoring of the schools.

Norwalk is not the first school district CCA has targeted. Both Hartford and Bridgeport have been singled out for systemic problems, the latter coming under scrutiny for the third time as recently as last month.

Chuckas and her colleagues attribute Norwalk's situation to understaffing and a lack of resources in the school district.

"If there's not enough time in your day to service your case load, then you can't do your job," Chuckas said.