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Superintendent Dr. Carmela Levy-David  
Bridgeport Board of Education Chairperson Christine Baptiste-Perez  
Bridgeport Board of Education  
Bridgeport Public Schools  
45 Lyon Terrace  
Bridgeport, CT 06105

May 20, 2024

Dear Dr. Levy-David, Chairperson Baptiste-Perez, and members of the Bridgeport Board of Education,

We represent current Bridgeport Learning Center ("BLC") students, all of whom have been placed at BLC through Individualized Education Plans ("IEP") created during Planning and Placement Team ("PPT") meetings this academic year. The proposed plan to close BLC and unilaterally place these students back in a general education public school setting **changes the placement of special education students in contravention to federal and state laws**. The district's proposal to unilaterally change the placements of students outside of the PPT framework violates a central tenet of IDEA, which requires that PPT teams recommend appropriate placements for students. Additionally, the proposed closure violates several Bridgeport Public Schools district policies and procedures as discussed below. Finally, the proposed plan will cause significant harm to these students in a variety of ways: the new environments are inappropriate to meet their needs, the highly trained staff and staff ratios they require for academic and emotional success will no longer be available to them, and the number of transitions this plan entails will cause an undue burden on our clients and all students currently placed at BLC. We request that you reconsider the proposed plan and keep BLC open at its current location until appropriate alternatives can be found.

**I. Harm to BLC Students: Program & Environment**

The proposed plan to trifurcate the BLC therapeutic placement, dividing the students and staff into three groups, inserting these groups into three different general education schools for an indeterminate time, and then transitioning these students back together into a new undefined setting, will deprive our clients of a free, appropriate public education and cause great damage to their educational

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programming and outcomes. Moreover, the proposed plan will deprive current BLC students of the wrap-around program supports and therapeutic environment that only BLC offers.

**A self-contained classroom in a general education setting is not the same as a therapeutic classroom in a stand-alone therapeutic setting.**

Many BLC students have previously been placed in self-contained classrooms in general education settings *before* being placed at BLC. These settings could not provide for their needs, and thus, their PPT teams recommended a higher level of support in a more restrictive therapeutic setting. Self-contained classrooms within general education settings are less restrictive than BLC, which may meet the needs of some students, but not those for whom the setting has been rejected in favor of a therapeutic setting.

**BLC students require refocus room spaces to de-escalate challenging behaviors.**

The access to at least two refocus rooms is a key feature of the BLC model. These spaces, separate from the classroom, are available as a de-escalation tool for students that need a quiet, therapeutic space, and one-on-one intervention with a staff person. If a BLC student needs to be removed from the classroom, they must be accompanied by behavior support facilitators. If this transition were to occur in a general education hallway, this will create a potentially dangerous situation. These students require a different kind of setting to have the space needed for these types of transitions.

**II.Harm to Students: Need for Appropriate Staff**

**BLC students require specially trained and designated staff to meet their educational needs.**

One of the accommodations listed in IEPs for students placed at BLC is “ongoing support of an academic behavior support facilitator and programmatic paraprofessional.” These staff oversee refocus rooms and check-in regularly with all students who attend BLC. **The division of BLC would require the hiring of additional staff and additional training**, so that a behavior support facilitator can be available at each location, as per each BLC student’s IEP recommendations. Additionally, at BLC, there is one teacher and one therapeutic support facilitator in every classroom. These staff people would have to be replicated through each of the three proposed new settings. There is no indication that this was incorporated into the proposed transfers, nor has this been allocated in any budget.

Every student at BLC also requires counseling and additional support staff that are on-call as needed. To provide the equivalent will require all three new proposed placements to have enough support staff (school psychologists, social workers and/or guidance counselors) to ensure implementation of each IEP and to handle crisis situations safely. Further, all BLC staff are now extensively trained in de-escalation using the CPI—non-violent crisis intervention—and Boys Town models, which the staff at the three proposed transfer cites are not.<sup>1</sup>

**III.Harm to Students: Transitions**

**Repeated abrupt transitions, as required by the district’s proposed plan, will add unnecessary stressors to students already struggling with emotional difficulties.**

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<sup>1</sup> The Boys Town Education Model® is a **school-based intervention strategy** that focuses on managing behavior, building relationships, and teaching social skills. It emphasizes preventive and proactive practices rather than reactive responses.

BLC is a therapeutic placement that provides an integrated and wrap-around program for students that have had emotional and behavioral difficulties. The proposed transitions for students will be an added stressor, causing unnecessary setbacks.

### **Policy and Procedure violations.**

As per the District's policies, outlined in "BRIDGEPORT PUBLIC SCHOOLS Bridgeport, Connecticut Business and Non-Instructional Operations School Closing Administrative Procedures" R-3600(c), notice of school closure needs to be sent to all parents of currently enrolled students following approval of said closure by the Board of Education. A comprehensive closure study shall be conducted, taking into consideration a multitude of factors outlined in the policy.<sup>2</sup> Community considerations should also be taken into account, per the policy, as well as consideration of what alternatives are available other than school closure.<sup>3</sup> A report must then be submitted to the Board of Education and parents, following the adherence to specific and enumerated procedures in said policy.<sup>4</sup> To date, none of this has occurred.

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<sup>2</sup> BRIDGEPORT PUBLIC SCHOOLS Bridgeport, Connecticut Business and Non-Instructional Operations School Closing Administrative Procedures R-3600(c) If any school building becomes inadequate because of age, condition, size of site, lack of need or other overriding limitations, or cannot reasonably and economically be brought up to the current educational standards, or cannot be operated or maintained within the district's budgetary constraints, notice of a recommended closure of a school building shall be sent to the parents of the affected school children immediately after approval of the Board of Education. Further, the recommended building for closure shall be considered for a comprehensive closing study. The Superintendent and the Board of Education shall conduct the comprehensive closing study according to the procedures set forth below. A closing study will include direct involvement by those communities considered in the study and will be concerned with all the following factors: 1. Building characteristics, age and current physical conditions of the facilities including: A. Age and condition of building including whether or not the building is energy efficient. B. Adequacy of building for programs; existence of multipurpose room and/or other special areas; feasibility of replacement and/or additions. C. Suitability of the building for other uses. D. Capacity of buildings, space to house additional students. 2. Adequacy of site, location, access and other environmental conditions including: A. Adequacy of the building in terms of student health and safety. B. Frequency of vandalism and amount of damage. C. Location and size of site. D. Traffic hazards and/or serious deterrents to learning in surrounding community. 3. Enrollment and program including: A. Enrollment size in relation to that needed to provide quality educational programs and services. B. Enrollment projections indicative of continued small student population. C. Effect upon programs for students in all schools affected by the closing. D. Proximity of the school to community resources. E. Relationship to the plan for special education. F. Transportation factors, including numbers of children bused, time, distance, and safety. G. School performance in relation to No Child Left Behind 4. Cost/Savings project including: A. Staff requirements. B. Comparative per student operating costs related to status quo. C. Food service and student transportation requirements and expenses resulting from school closure. D. Value of property for other uses. E. Saving which might accrue from reducing the number of schools in the district.

<sup>3</sup> BRIDGEPORT PUBLIC SCHOOLS Bridgeport, Connecticut R-3600(d) 5. Community considerations: A. Attitudes toward reducing the number of schools and reduction of cost. B. Hardship and/or benefits to parents and/or children resulting from closure; distance from where students reside to schools where assignments would be made. C. Reactions on the part of parents and other residents to the potential closing of a school(s). 6. Alternatives to closing a school will also be considered. These may include: A. Changing boundaries; effect upon enrollments in schools affected by changes. B. Shifting of programs/grade levels from one building to another. C. Housing of new program(s) in building under construction.

<sup>4</sup> A school closing study shall follow these procedures before submitting their report to the Board of Education. 1. Parents and other community members will be involved early in the discussions pertaining to possible school closings and program relocation. 2. An orderly procedure, including the provision of information to all who will be affected, will be used when closing a school. Parents will be informed in advance regarding recommendations and of possible Board action. 3. Attendance boundaries will be realigned when school is to be closed, taking into account distances from other schools, traffic patterns, building capacities, enrollments, and programs. 4. Time will be provided for adequate preparation for closing and reassignment of students and staff members. 5. Alternate uses of the building or disposition of this property will be considered in the light of current and projected needs. 6. The closing committee may make use of outside consultants when considering school closings. 7. The full resource of the office of the Superintendent shall be available to the study committee throughout the deliberations. 8. Public hearing regarding the closing of a school will be held by the Board of Education, at the school prior to any vote by the Board to close a school. The final report shall be sent to parents of the school children affected by the recommended school building closure prior to said report being submitted to the Board of Education for any hearing.

**The closure of BLC as currently proposed violates state and federal law.**

The proposed plan to close BLC and trifurcate the student body and staff and insert these three distinct student/staff groups into general educational settings constitutes an illegal change of placement in violation of 34 CFR Sec. 300.327; Regs. Conn. State Agencies Sec. 10-76d-16. The students placed at BLC, per PPT recommendation, require a setting that no other school in Bridgeport can offer. All BLC students can exercise their right to “stay put,” pursuant to IDEA 20 U.S.C. Sec. 1415(j) should Bridgeport Public Schools proceed with closing BLC. This federal provision, part of the Individuals with Disabilities Education Act (“IDEA”), requires a student be maintained in the “then-current educational placement”<sup>5</sup> during the pendency of a dispute between a school district and parent regarding placement. **Moving a student to a self-contained classroom in a general education setting will not satisfy the legal requirement of “stay put,”** should we decide to proceed in litigation.

In conclusion, we understand and appreciate your intention to update facilities to improve student experience. However, dividing up BLC and placing students in fragmented groups in different general education school settings constitutes a change in placement which contravenes the intentions of any PPT meeting that determined that BLC was the necessary individualized placement for each child placed there. The harm to the students you are displacing cannot be overstated and will deprive them of their right to a free, appropriate public education.

On behalf of our clients and BLC students similarly situated, we request that you halt the planned closure and keep BLC open until an appropriate alternative that complies with federal and state law is identified and so preserve and protect the procedural and substantive due process rights of our clients and all students currently enrolled in BLC. We hope to hear from you by June 15th.

Sincerely,

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<sup>5</sup> IDEA 20 U.S.C. Sec. 1415(j).