



636 Sheridan Drive

Venice, FL 34293

941.223.4262

January 2, 2020

Office of Governor Ron DeSantis

State of Florida

The Capitol

400 S. Monroe St.

Tallahassee, FL 32399-0001

Re: Special Education Investigation

Dear Gov. DeSantis,

We are writing to you in regard to the education investigation underway by Commissioner Corcoran in Sarasota County as a result of the DOAH ruling on October 21, 2019 in D.D.J. vs Sarasota County Schools. We are the advocates involved in this case and remain very concerned about the systemic problems evident with the special education processes currently in place in Sarasota.

As our case revealed, a number of children, including DJ, were moved from general education curriculum to a modified curriculum (Access Points) without the district involving appropriate personnel, such as a school psychologist, and failing to collect all of the information required to look at the whole child and make an informed decision to allow the child to continue to access rigorous coursework designed to prepare them for employment, postsecondary education, and independent living. The decision to change the standards and lower the bar was based on the school's concerns about the impact on a school grade rather than looking out for the best interest of the child.

Within the structure of the Individual with Disabilities Education Improvement Act and corresponding Florida Statute, oversight of the District's practices falls to the FLDOE. The changes for DJ occurred in 2012, however, the State did not question the district allowing a child with a Specific Learning Disability to take an alternative assessment until 2015 and corrective action wasn't put in place until 2017. Further, the State did not monitor the implementation of this student's individual education program for compliance with providing a free appropriate public education even though they were aware DJ and the other students in his situation throughout the state had been denied the education they were entitled to receive for many years. It is of great concern that the current investigation is relying on the assistance of the FLDOE to determine the problems, when it is clear they were part of the problem.

We attempted to enlist the help of the Bureau of Exceptional Education and Student Services as we were trying to understand the guidance Sarasota County Schools relied on to move DJ to Access Points. Our request for

information from Monica Verra-Tirado was met with deflection, denial and a refusal to produce relevant public records. The problems uncovered in DJ's case happened to numerous students throughout the State as evidenced in a presentation given by the FLDOE in 2015.

Further, we are being contacted every day by parents who feel their children with disabilities are not being served appropriately by their schools. Parents feel disenfranchised, bullied and lied to by the very professionals they must rely on to provide guidance and services. Teachers don't have the training, resources and support necessary to educate our children with disabilities. Further, teachers fear retaliation if they speak out about their concerns.

We hope the investigation is a genuine search for the truth and will unveil the layers of cover-up and wrongdoing we know to be true. The only way to fix these problems is to shine the light on them and work together to ensure we are doing what's right for our students.

We have a few specific questions regarding the process of this investigation.

- Who is on the investigative team?
- What is the timeframe for this process to be complete?
- What method will the team use to collect information?
- Will there be an opportunity for parent and community input?
- Will we, as part of DJ's team, be contacted?
- What information will the team produce, who will it be delivered to and how will the product be formatted?
- Who holds people accountable for wrongdoing such as falsifying student records, lying under oath, etc.?
- What type of corrective action will be put in place, if necessary, and who will be responsible for progress monitoring?

Thank you for your consideration of our concerns. In DJ's case it took 18 months for a concerned parent, a Big Brother, two experienced advocates, and a special education attorney to untangle the web of deceit, and even with a judge's ruling, we don't have a complete copy of the student's record, an appropriate plan for his individualized education, nor a district willing to comply with the court-ordered elements of providing for this child's needs. This example is extreme, but every day in Florida families are facing similar IEP battles with our schools with predetermined outcomes, failure to provide authentic data, and an attitude of us against them from school districts. We need education leadership to fix the system and return the focus to serving the needs of our most vulnerable children so they can become productive members of society.

Sincerely,

Susan Magers  
Susan Memminger  
Parent Advocates