

GUEST EDITORIAL

Still no justice for DJ

**Susan Magers
and Susan Memminger**

For the last two decades we have worked with families of children with disabilities to navigate the complex world of special education, and to ensure parental input was considered as the Sarasota County School District made decisions that impact their children.

This long-term relationship began when Wilma Hamilton was superintendent and continued through Todd Bowden. Throughout these years, we didn't always agree with our school partners but we always thought we were working together in the best interest of the children.

However, for the last 18 months our lives have been consumed in a court battle for one student named DJ, who, in 2012, was moved from a general education curriculum with accommodations to a modified curriculum for students with significant cognitive disabilities. We believe this was to avoid the possibility of the child having a low standardized test score that would impact the school's grade.

The school knew this child had average intelligence, and they let DJ languish in a program designed for children with intellectual disabilities. When the state discovered the problem in 2015, the school district dumped DJ back into general education classes without any supports to help him remediate the lost instruction.

On Oct. 21, Judge Diane Cleavinger ordered that DJ be provided an appropriate education in a private school, in addition to 6.5 years of compensatory education, intensive tutoring and mental health counseling. The first step to following the judge's order was to hold an Individual Education Plan meeting, with the school district team, and the parent and her representatives, to develop an appropriate plan.

On Nov. 15, the school district showed up for the meeting with no intent to follow through on the judge's order. The special education director said the order was only temporary and district counsel confirmed they intended to appeal the ruling.

Without any further recourse, DJ's parent was forced to file another due process claim. A hearing has been scheduled for Jan. 23 and 24.

On Dec. 10, after a

closed-door session, the School Board voted 4-1 to appeal the ruling. The pre-scripted wording of the motion indicated the district would "continue" to pay for the student's private school services during the appeal process. But the district has paid nothing so far.

The system continues to fail DJ. This began before Superintendent Bowden, and has not been resolved with his departure.

The facts in DJ's story are unique to his individual experience. However, not treating families with respect, failing to meet the individual needs of a child, and attempting to sweep problems under the rug are a recurring theme we are hearing from other families on a daily basis since this has become public.

It is time to fix a broken system. The community deserves accountability rather than cover-up. We hope the education commissioner's investigation will lead to a change in leadership, clear direction from the State, and a process designed to support and educate all of our children.

Susan Magers and Susan Memminger, of IEP for Parents, work as special education advocates for families in Sarasota County.