

## VII. B.

### CONNECTICUT STATE BOARD OF EDUCATION Hartford

**TO:** State Board of Education

**FROM:** Dr. Dianna R. Wentzell  
Commissioner of Education

**DATE:** January 6, 2016

**SUBJECT:** Update – Connecticut State Department of Education Investigation into November 2015 District Training Exercise at SAND Elementary School in Hartford

#### Executive Summary

##### Introduction

At the December 2, 2015, State Board of Education meeting, several parents of students at SAND Elementary School in Hartford, along with community advocates, came forward during the public comment section of the meeting to report on their children’s experiences during and after a district training exercise on differentiated instruction at SAND School in which students had colored stickers placed on their shirts to identify whether they were English learners and/or were receiving special education services. State Board of Education members called for an investigation into this incident.

##### Background

On November 9, 2015, D. Chris Hempel, Assistant Superintendent for Instructional Leadership of Hartford Public Schools, led a training exercise at SAND Elementary School. The training focused on observations of differentiated instruction to meet students’ individual learning needs using a “classroom walkthrough” strategy. This strategy is used by administrators to collect school-wide observational data through short, frequent visits to classrooms. The administrator strategy is well known and in use in many Connecticut schools, but never calls for the physical labeling of students or disclosure of their learning needs to other students and staff. A group of school and district administrators were present with Mr. Hempel at this training. It is reported that during visits to some classrooms, educators were instructed to place labels of various colors on the shirts of children to identify whether they were English learners and/or were receiving special education services. On November 17, 2015, Superintendent Beth Schiavino-Narvaez issued a public apology at the Hartford Board of Education meeting. The Commissioner of Education contacted the Superintendent of Hartford Public Schools regarding the incident and indicated that an inquiry from the Connecticut State Department of Education (CSDE) was likely. Superintendent Schiavino-Narvaez announced on December 2, 2015 that Mr. Hempel had resigned and will be paid through June 2016 as part of a separation agreement.

On December 2, 2015, the Commissioner informed the Superintendent of the CSDE’s plan to investigate the incident, report findings to the State Board of Education, and provide recommendations for corrective action to be taken by the district.

##### Investigation Plan and Timeline

Deputy Commissioner Ellen Cohn convened an investigation planning meeting on December 8, 2015 with senior leadership and the CSDE staff who have responsibility to conduct investigations into allegations of civil rights

violations. In the course of the investigation it is possible that a formal complaint regarding violations of Individuals with Disabilities Education Act (IDEA) may surface, and a formal investigation in those areas would thus be indicated. The investigation team and timeline was established. The investigation will be led by Dr. Adrian Wood of the Turnaround Office and Attorney Gail Mangs of the Bureau of Special Education. The investigation interview team will be comprised of a special education staff member, a staff member with civil rights investigation experience, and a Spanish speaking staff member (or other language as needed). The investigation team agreed that the investigation will be coordinated to ensure that parents and/or students will generally be interviewed by all relevant CSDE staff together instead of multiple, duplicative interviews from different offices or bureaus of the CSDE. Desi Nesmith, Chief Turnaround Officer will lead weekly CSDE meetings of the investigation team and update the Deputy Commissioner, Special Education Bureau Chief and the Legal Director regularly.

Investigation team members agree that the team’s role is to conduct fact finding, and to develop recommendations regarding corrective actions as necessary.

### Investigation Timeline to Date

<b>Date</b>	<b>Investigation Activity</b>	<b>Notes</b>
12/2/15	SAND parents report incident to SBE during public comment section of meeting; SBE requests CSDE conduct investigation	
12/2/15	CSDE informs Hartford Superintendent Schiavino-Narvaez of the investigation	
12/4/15	Meeting of Ms. Milly Arciniegas, Executive Director of the Hartford Parent University, and a parent of a SAND school student receiving 504 accommodations, and Dr. Isabelina Rodriguez, Bureau Chief of Special Education, CSDE	Formal IDEA complaint not filed but parent of student with 504 accommodations will be interviewed and possible complaint will be filed.
12/8/15	CSDE holds an initial Investigation Planning Meeting	Investigation priorities, team members identified. Scope and structure of investigation identified. Timeline established.
12/8/15	Commissioner receives a copy of a letter to the Hartford Board of Education from Ms. Gwen Samuel, Founder of CT Parents Union	
12/9/15	Investigation team members notified	Dr. Adrian Wood, Attorney Gail Mangs, Attorney Regina Hopkins, Mr. Marcus Rivera
12/9/15	CSDE Consultant, Dr. Adrian Wood contacts Ms. Milly Arciniegas, Executive Director of the Hartford Parent University to plan parent interviews	
12/15/15	Weekly Meeting - Investigation Team and Mr. Desi Nesmith, Chief Turnaround Officer	8:30 a.m. CSDE Room 239
12/17/15	Mr. Desi Nesmith contacts Superintendent Schiavino-Narvaez who appoints Attorney Jill Cutler Hodgman of HPS as the contact person for the CSDE inquiry. The Superintendent forwards Hartford Public Schools remediation actions to date.	See Attachment A
12/18/15	First Parent Meeting - Investigation team and SAND school parents	
12/18/15	Initial Meeting between Dr. Adrian Wood, Attorney Gail Mangs, Attorney Regina Hopkins, and Mr. Marcus Rivera	Information gathered, contact information exchanged, plans

	with parents of SAND students and representatives of Parent University.	developed for continued interviews
12/18/15	A written complaint received from a parent of a special education student at SAND.	Special Education Bureau Chief, Dr. Isabelina Rodriguez and Attorney Gail Mangs will lead investigation into complaint.
12/22/15	Weekly Meeting - Investigation Team and Mr. Desi Nesmith, Chief Turnaround Officer	8:30 a.m. CSDE Room 239
12/22/15	Drafting of letter of inquiry regarding complaint to the Hartford Public School by the Bureau of Special Education, Due Process Unit.	Dr. Isabelina Rodriguez
12/29/15	Planned Weekly Meeting - Investigation Team and Mr. Desi Nesmith, Chief Turnaround Officer	8:30 a.m. CSDE Room 239
1/05/16	Planned Weekly Meeting - Investigation Team and Mr. Desi Nesmith, Chief Turnaround Officer	8:30 a.m. CSDE Room 239

Prepared by:  
Ellen E. Cohn  
Deputy Commissioner



Beth Schiavino-Narvaez, Ed.D.  
Superintendent

Dear Board Members,

As agreed, I am writing to provide you with an update regarding the November 9<sup>th</sup>, 2015 professional development session that was held at SAND Elementary School. Since the moment we learned of the situation, we have been proactively addressing our collective concerns. The incident has been taken seriously and addressed with those involved. My hope is that this summary will provide you with a clear understanding of our approach in addressing the matter.

As I have consistently said, the procedure employed is clearly not appropriate, is unacceptable and simply cannot happen again. As an educator and a leader, I strongly believe in the equity work we have placed front and center in our agenda. I understand why in a system like ours and a nation in which given groups of people—including people/children of color and students with special needs—have historically been marginalized and continue to be targeted and their rights violated, we cannot perpetuate the status quo and must find the means to help each other get better while holding each other accountable. That is the difficult work that I have to do. It is also the difficult work that we must do collectively.

### **Background**

The purpose of the session was to help leaders observe and understand how to best differentiate instruction according to the learning needs of students. Educators were to observe the instruction taking place at SAND through the eyes of the learners, particularly students with special needs and English Language Learners, in order to ensure the success of every student in every classroom. Dot stickers placed on student clothing were used to distinguish learning needs— six different colors in all. Every effort was made to ensure that only those adults directly involved in the observation understood the meaning behind the colors. Unfortunately, the best of intentions often yield negative results— especially when serious mistakes are made. That was certainly the case in this situation; which reinforces our push for more professional development and cultural competency, two areas that we are currently working on and making progress.

### **Response**

As I mentioned above, the matter was taken seriously and received immediate attention. In response, we did the following:

- On the same day that the professional learning session was held, we learned of it and took immediate action. The procedure was determined to be inappropriate and will not be used again.

- The Assistant Superintendent responsible for the session issued a letter of explanation and apology to SAND parents/families explaining the protocol, its original intent, and the fact that it was a one-time occurrence. The Assistant Superintendent provided his phone number and offered to meet with families for follow-up questions and concerns.
- The Superintendent reported the incident to the broader community at the Board meeting, issued a public apology and expressed that the practice was inconsistent with the district's values and commitment, and that it was an unacceptable protocol.
- The Assistant Superintendent and Principal met with parent leaders to discuss the matter, and the Principal met with the School Governance Council.
- The individuals involved in the process, whether from SAND or from other schools, have met to review the session and have discussed the implications of the protocol and its impact on students and participants.
- SAND teachers and administrative personnel will receive training on diversity, cultural competency, building empathy, fostering inclusion, class climate and team engagement as part of their year-long professional learning plan.
- The Assistant Superintendent submitted his resignation.
- I publically acknowledged the incident at a citywide event held on December 5<sup>th</sup> where parents, staff, community based organizations and other partners were present—to reinforce our commitment to building family friendly schools and effective engagement.
- I also addressed the situation and its larger implications in a conversation and professional development session with all of our school Principals and Central Office Leaders at our December administrator professional development day.

## **Next Steps**

As we move forward, and as I have stated since I personally learned of the situation, I reaffirm my commitment to the following:

- At Hartford Public Schools, we do not condone practices such as the one involved in this incident, or any other practice that potentially devalues or negatively targets students.
- We will continue to work with our leaders, staff, families and community partners so that, together, we build and increase our capacity to be culturally proficient in our decision making, leadership, instructional practices and engagement.

As I mentioned above, equity has been at the top of our agenda since my arrival at Hartford Public Schools. As a result, there are several initiatives already in place that will help us continue to work towards a system that holds issues of equity at the center of our practice. SAND Elementary, for example, is a Pioneering School in our Family Friendly Schools initiative. The Partnership and

Engagement Department will devote time and resources to provide the necessary supports for SAND as they develop and implement their own approach.

The school is also heavily involved in our work with The Discovery Center. The work is focused around issues of diversity, equity and inclusion. We will adjust accordingly and ensure that we are being proactive in our approach as we work with our community to rebuild trust and address these critical issues.

Additionally, we are working with the Board of Education to plan a Community Conversation on Race and Equity for February; and, Cabinet and the Assistant Superintendents have included this important topic in their regular meetings.

In the coming days, weeks and months, I will:

- Engage in conversations at SAND school with the families of the students directly implicated in this incident.
- Reach out to expert organizations, as well as leverage the internal expertise of our staff – to strengthen existing training plans and create new ones addressing diversity, equity and cultural responsiveness.
- I will engage with key organizations and leadership to personally deliver and discuss these commitments.

Thank you for your continuous support in this challenging and necessary work.

Sincerely,

Beth Schiavino-Narvaez, Ed.D.  
Superintendent of Schools