

# Fresno Unified violating special education laws, state officials say

By Hannah  
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The Fresno Unified School District office building in downtown Fresno.

CRAIG KOHLRUSS — THE FRESNO BEE [Buy Photo](#)

Fresno Unified school district is violating state education law that mandates schools provide speech services to children with communication impairments, an [investigation released this week](#) by state officials shows.

The report addresses three allegations made by Fresno Teachers Association union officials, including claims that students who are eligible for speech services aren't receiving them and that meetings for some special needs students are not being held annually, as required by the law. The union also alleged some staff required to attend the meetings didn't show up.

The California Department of Education, which sent investigators to Fresno in mid-November, found all allegations were true. It also found 21 of the district's 106 schools don't have a speech-language pathologist and more than 500 students are owed makeup sessions for services they never received.

The state is requiring district officials to follow the law.

Among the state's directives:

- The district must submit a plan by the end of January that shows how it will staff schools that don't have a dedicated speech-language pathologist.
- It must create a comprehensive spreadsheet by the end of February that documents all students with special

language needs, the types of services they require and how many days or weeks of compensatory sessions they're owed.

- Officials must provide evidence that all speech and language staff have been trained to comply with state laws.

District spokeswoman Micheline Golden said in a statement that Fresno Unified, like districts across the country, have faced a shortage of speech-language pathologists for more than a decade. To help offset the problem, the district has offered services after school and during the summer for students who attend schools without a full-time speech specialist.

The district is also actively recruiting qualified staff, she said.

"Those efforts include aggressively pursuing independent contractors, and evaluating (speech-language pathologist) retention strategies," Golden said. "In meeting this longstanding challenge, the district is reviewing and analyzing the current caseloads of its 72 in-house (speech-language pathologists)."

The district has 35 days from when it received the report to ask the state to reconsider its findings.

FTA president Tish Rice said she first heard of the problem from a group of concerned school speech-language pathologists.

"My thought right away was, why aren't parents complaining? This is obviously a violation," she said. "(The FTA) is trying to make sure that students have the best possible learning conditions and our members have the best possible working conditions. When we feel that those conditions are not optimal, we're going to do what it takes to ensure that they're improved.

Language specialists are spread thin, said Xena Wickliffe, a speech-language pathologist at Norseman Elementary. Many have a full caseload at their home schools but also are being asked to schedule evaluation meetings for students at schools that don't have a speech-language pathologist.

"Do therapists need to be full-time at every school? No. Does a therapist need to be assigned so all schools are covered with a therapist? Yes," she said. "The problem is, there are not enough therapists to be assigned to cover every site."

After hearing the concerns of Wickliffe and several others, the union followed up with its October complaint.

The subsequent findings from the state come as no surprise to Anita Morris, whose 16-year-old daughter, Jayline Morris, has been without adequate speech services for years. Jayline attends Rata School, a northwest Fresno school for youngsters with disabilities.

Morris said she first was notified by school officials in September that her daughter, who doesn't speak and uses an iPad to communicate, was owed hours with a speech-language pathologist.

"As a parent, it's extremely frustrating," she said, noting she has followed up with her daughter's teacher and principal but hasn't heard back about when her daughter will receive the services owed. Two weeks ago, Morris sent her concerns to the California Department of Education.

"I am very happy to know the state is aware," she said. "I will be happier if other than writing a letter they put some teeth behind it. I don't believe the district is going to do anything unless it costs them something."

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