



Oregon's largest charter school miseducated student for years, graduated her unable to read or write



By [Betsy Hammond, The Oregonian](#)

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Katherine Brafford is a young woman of sparkling intellect whose interests span from genetics to Gregorian chant. She also [has a rare vision impairment](#) that has worsened to the point that she needs the same services as someone who is blind.

Last year, [Oregon Connections Academy, an online charter school](#) with more students than any other Oregon public school, graduated her -- despite failing to teach her to read or write independently.

The way the school and its sponsoring school district treated Brafford, knowing she could not see to read or write, offers a nightmarish example of what [advocates for disabled students have long feared: Charter schools can be reluctant or unable to serve special education students](#) as required by law.

When given early, effective help, young people with disabilities can grow up to become contributing members of society. [Since 1975, federal law has required all public schools to offer that support.](#) In Oregon, that applies to more than 70,000 students.

But charter schools don't appear to be doing their share. [The U.S. Government Accountability Office reported last year](#) that charter schools enroll a disproportionately low share of students with disabilities. [Another 2012 report, by the Center for Law and Education, said](#) that when charter schools do serve such students, they tend to be those with common, less-intense conditions such as learning disabilities.

Oregon [changed its charter school law](#) effective July 1, 2011, to try to secure better treatment. It now requires the district that authorizes a charter school -- not the district where a student lives, as was true before -- to ensure students' special education needs are met.

That meant the [Scio School District](#), which [oversees Connections Academy](#), was in charge of meeting Brafford's needs during her senior year, her third at the online school. A resident of rural Jackson County, Brafford enrolled in 2009 because debilitating vision-related episodes often left her unable to attend school. The flexible schedule and ability to work from home appealed to her.

On the first day of the 2011-12 school year, [she emailed the district's special education director, asking to be evaluated for services.](#)

Instead of helping, however, [Scio officials ignored her for months](#), then dragged her through a protracted series of meetings and tests that by April still had not led to an official evaluation, a state investigator found after Bradford's mother filed a complaint.

[Brafford's doctors at Berkeley School of Optometry wrote that she needed to be taught using standard approaches used with the blind](#), including training on the use of screen-reading software and other assistive technologies. [An expert the district hired to test her advised that Brafford needed to be taught Braille and to use a cane](#), among other skills.

Yet leaders of the Scio district and Connections Academy chided Brafford to finish two more credits, the minimum she needed to graduate, and be done. They didn't [train her to use text-to-speech software](#) or Braille, but acknowledged she could not read or write independently by testing her orally, offering extra instruction over the phone and never requiring written work.

Pushed from chemistry

Oregon Connections Academy is [run by a nonprofit board](#) that contracts with [the national Connections Academy company, Connections Education](#), which was [purchased for \\$400 million in 2011 by Pearson](#), the world's largest textbook company. The company's [software and online curriculum form the backbone](#) of how Connections students are taught and how teachers monitor and grade them. It [operates taxpayer-funded schools in Oregon and 23 other states](#).

Against Brafford's wishes, Oregon Connections Academy dropped her from chemistry mid-course and barred her from taking the second semester of senior English. She couldn't, for instance, see a standard periodic table or write a required English paper, and the school couldn't figure out how to help her master that content.

In place of the English course, school officials had her listen to "Pride and Prejudice" on tape, then talk about the book with a teacher.

Scio Superintendent Gary Temple and Special Education Director Barbara Svensen both declined to discuss what happened, citing [a confidentiality clause in a legal agreement](#) they reached with her family. [Academy Principal Todd Miller](#) also declined to discuss Brafford's case, saying individual student matters are confidential.

But Temple and Svensen acknowledged their small school district was overwhelmed when it became responsible in 2011 for about 140 students on special education plans at Connections Academy.

At first, Svensen was the lone special education official in the district, responsible for overseeing all evaluations and individual plans. Scio

How to get help for a special education student with unmet needs

Diane Wiscarson, a prominent special education lawyer in Oregon, offers this advice to families concerned that their child's special education needs are not being met:

Talk to the student's case manager or other educators responsible for helping the child.

has since added four case managers and a clerk to her team, Temple said.

The school's special education enrollment has since grown to 365 students, or 10.6 percent of its enrollment, Svensen said. Statewide, 13.3 percent of students received special education services in 2011-12.

Scio's ability to identify and help special education students has improved with experience, Temple said. "We certainly are better at it than we were a year and a half ago. Our goal is that 10 years in, we're the experts in the field."

Formal complaint

Brafford said she finished the two remaining classes, government and algebra, by using strategies she used to pass other classes: having her mother or a family friend read her textbooks aloud and relying on a privately paid tutor to explain math lessons and write her answers.

Brafford's mother, Carolyn, took those steps because a rare but expensive opportunity arose: [A private, nonprofit California center that helps blind young adults gain skills](#) to live and work independently had an opening for her daughter. A diploma would be part of her ticket in.

The Scio School District had a different reason to move Katherine Brafford along: State law says school districts may, but do not have to, educate disabled students after they earn a regular diploma. In Brafford's case, district officials never mentioned that they could help Brafford gain blindness-coping skills after graduation.

After Scio and Connections Academy leaders ignored Carolyn Brafford's frequent pleas on her daughter's behalf, she filed a formal complaint, asking that the district be required to pay for Katherine Brafford to learn the academic and blindness skills that she should have learned in high school.

The Oregon Department of Education [found last July that Scio had failed to evaluate Brafford within 60 days of her request -- or even](#)

If that doesn't work, **meet with the district's special education director.**

As part of a pilot project this spring, as many as 20 families can ask the Oregon Department of Education to provide, at no cost, **a professional facilitator to help make their child's individual education plan-writing meeting go well.** Molly Hammans at 503-947-5705 helps parents complete the request form.

ODE mediators help families and school districts agree on a student's special education services. Contact Steve Woodcock at

steve.woodcock@state.or.us. The vast majority of complaints are settled, not decided by the state, Wiscarson said.

Families can **send ODE a written, signed statement alleging that a school district has violated federal special education law.** The department will assign an investigator, then issue a written decision.

Families can **choose a more formal route and file a "due process" complaint** with ODE to contest a school district's identification, evaluation, educational placement or related issues. That leads to a hearing in front of an administrative law judge, resulting in a legal order that can be appealed to the courts. If the family prevails, the school district may have to pay the family's legal bills.

Wiscarson, who has practiced special education law for more than a decade, says, "When parents call or come in, I tell them you don't need a lawyer. Start working the right channels to get it worked out. Hiring a lawyer to get your child's education worked out is not something to do lightly. But do advocate for your child. Most

[within six months -- and so had not delivered the free, appropriate public education](#) promised by federal law.

But, in a decision approved by Oregon's former assistant superintendent for special education, Nancy Latini, the department backed Scio's position that, because it issued Brafford a diploma, its obligations to her were over. "When a district issues a diploma, that ends the responsibility," said Cindy Hunt, the department's legal manager.

parents trust the school district to do the right thing, and it takes a long time before it enters people's minds that things might not be right."

--Betsy Hammond

The state did require Scio to train employees on special education law and submit paperwork showing it had improved its policies. It also had to give the state copies of all parent requests for special education evaluations from September 2012 through last month, along with the district's responses.

Last month, [the Scio district paid Carolyn Brafford \\$19,000 to drop all claims against it](#). Its attorney, Kelly Noor, wrote in an email that the district did not violate the law but opted to settle to avoid costly litigation.

Katherine Brafford now attends [the Hatlen Center for the Blind in San Pablo](#), near San Francisco. Like the other students there, she lives in her own apartment and pays her own bills while she learns skills to live and work on her own. She has learned Braille and how to use an array of adaptive technology such as text-to-speech software.

For the first time in years, she can read her own writing and do research on the Internet. She's learned to take mass transit and handle money. "The screen reader is really, really helpful, and I love the Braille display for the computer. To be able to write and read something I wrote is absolutely groundbreaking.

"I am having a great time reading books from the Talking Book and Braille Library," she said. "I've been reading about the 1750s to 1810, the time of the Revolutionary War and Catherine the Great and so many great thinkers. I find it fascinating how connected the world was then. I'm also reading about how genetics may or may not affect what we do -- how much is our own free choice and experience?"

"All I have done since coming to Hatlen is gain things," she said. "The whole world is opening up."

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