

**Testifier Name:** Adrienne Serra, 7 4th ST, Wallingford, CT 06492  
Formerly of 792 Cornwall Avenue, Cheshire, CT  
203-824-9466

**Related Bills:** HB 381

**March 6, 2016**

*This is what happens when school's write their own policies, police their own people, and are able to pick or chose whom deserves to be made safe. Items in red reflect Raised bill HB 381.*

History of my child born with a disability and what he was made to endure. It affects him to this day:

*My son was born in 1997. We discover he is profoundly deaf due at approximately 8 mos. old. My husband and I carry a recessive genetic mutation for Deafness. Hearing aids are not strong enough to aid him to access sound. When he is nearly 3-years old he has surgery in New York City, as the surgery was not performed in CT at that time, and receives a cochlear implant on his right side only. This means that he can access limited sound out of his right ear only, and is Deaf on the other side. Cochlear implants do not render you hearing-repaired, and there is significant therapy involved to teaching the brain to hear.*

"Special" Education:

While residing in Branford, CT, we exit from the Birth to Three Program and Tony Cavallaro, of Pupil Personnel Service of Branford states at our PPT that, "our son does

not act deaf." He also says he's going to, "take my husband outside." He does this in front of multiple witnesses, even the NY Cochlear Implant Professionals whom write a letter regarding his conduct. We try to reach out to the Bruce Storm, Branford Superintendent, but he chooses to go to Due Process. In 2000, Serra v Branford we prevail on all counts of Due Process. The cost for the town had been 60,000, but was reduced to paying counsel to 30,000. Our son acquired through this process continued auditory verbal therapy at CREC Soundbridge; an FM system (to access the teacher's voice in the noisy classroom, of which the District would not provide if our son did not attend their Special Education Preschool which was inappropriate); continuation in attending the Congregational Church Preschool at public expense; and reimbursement of my mileage from Branford to Soundbridge in Wethersfield.

The District had utilized bullying tactics, thinking we were a financially challenged family and would not be able to acquire legal representation.

Tony Cavallaro we find had been given a raise thereafter.

Our experience in Cheshire, CT

In 2005, we move to Cheshire. Our son and his cousin are bullied by neighbor grandchildren in 2006. They taunt and chase our son and knock him off his bike on the sidewalk in front of our home. We had thought it was a one-time incident.

Our son begins to show signs of distress: he pulls out all his eyelashes and begins to run away. I report this to the Doolittle Elementary School Planning and Placement Team (PPT) meeting and the Individualized Education Plan Team writes, "eye problems" and adds counseling to the IEP.

The Doolittle Elementary School yearbook notes our deaf son for saying, "what." Later, he informs us he was referred to as "alien" (because of the FM system he wore to aid him in what the teacher was saying). Literally, the children began to alienate him. He moves to the basement of our home. He withdraws. He no longer goes outside when the grandchildren or our neighbor's handyman is outside.

**On 7-19-2010** our son hides a sharp object on the side of our home and stands in front of his younger brother and I and says, "no one listens to him; no one listens to me, and no one believes us" **and motions that he is going to cut his throat in front of me.**

**7-19-2010 I call 211 psychiatric hotline.** Two social workers come to our home they ask for our insurance cards, suggest that it may be "Asperger's" and tell us to hide all sharp objects in our home, and they would come back in a couple of days.

I call our son's School Case Manager and Teacher of the Deaf, Lynn Criscuolo, and inform her what has happened.

211 social workers meet with our son in his basement room and conclude there is nothing wrong and I can take him to be evaluated if I choose to.

I contact Melissa Dennis, LCSW, Commission for the Deaf, I sign a release for Lynn Criscuolo, my son's Case Manager to speak with her.

Our son attends Dodd Middle School in the fall, at the school open house presentation the school is not aware my son is deaf, and do not have accommodations in place for him to access what is being said. I inform the office, they say they did not know.

Our son is on the Red Team with one of our neighbor's grandchildren whom bullied him. The Dodd Middle School Principal is Mr. Solan.

**9-14-2010** I take our son to Dr. Krulee, Child Psychologist, he meets with my son and I and states, "he sees nothing sinister here."

Our 14 year old son is evaluated by Cheshire Public Schools on **4/29/11; 5/13/11; 5/17/11**. In 2011, teacher's reports there are clinically significant signs of depression, anxiety, stress, sadness, nervous, and worry about what peers think.

Our family meets with a Child Psychiatrist. We are referred to Dr. Kreisman in **May 2011** for evaluation. The evaluation results in **working diagnosis of PDD NOS, and underlying mood disorder**. I supplied this at the PPT at Dodd Middle School and share what has been transpiring for our son. Our son **begins taking Intuniv**.

**Posted: 06/20/12, 12:01 AM EDT** Assistant Superintendent of Schools **Scott Detrick** will **oversee** the day-to-day operations of **Cheshire High School** while Florio and the Board of Education seek Ryan's replacement. Scott Detrick is also the Safe School Climate Coordinator.

**7-5-12** I contact **Dr. Traci Hodes, Cheshire High School Psychologist**, concerned that our son and our family have been contending with these issues. I am concerned for my son's welfare. I wonder if he will be safe attending CHS. **Dr. Hodes informs me, "they have a really excellent zero-tolerance for bullying at school."**

**7-2012** I try to contact **Steve Proffitt, Supervisor of Special Education**. He will not be back 'til August. When I speak with him in August I inform him of what has been transpiring for our son and our family. Apparently, Wilcox Technical School does not accept Sophmores and he will have to attend Cheshire High School. Lynn Criscuolo, Case Manager, Teacher of the Deaf, writes "try not to think of him at American School for the Deaf" when I relay my concern and feel my son would be safe elsewhere.

**In August 2012**, I speak with **Vice Principal Sansoucy, Cheshire High School**. He cannot reveal if our son will be attending school with the neighbor children whom bullied him. He did tell me that new laws in place protect children getting off the bus in front our home. **He assured me that he would make our son safe and meet with him on the first day of school. He suggested I request a PPT meeting to discuss our son's history and significant anxiety.**

MY SON REMINDS ME TO THIS DAY THAT VICE PRINCIPAL SANSOUCY NEVER MET WITH HIM.

**9-1-2012 Oddly, Vice Principal Viccario is the administrator at the PPT.** I report our son's difficult history. I express concern that our son may be bullied by others. I report that our son is struggling significantly and no longer wants to go outside or go to school. I share the doctor's report. I share my conversation and suggestions made by VP Sansoucy. Our son's art teacher, having had him in lower grades states our son is not the same as he remembered. Lynn Criscuolo, Case Manager, Teacher of the Deaf notes our son is, "**easy prey.**" Dr. Hodes, Cheshire High School Psychologist is present. IEP notes "**purpose of today is to review new medical information and social issues my son is experiencing that is impacting his education.**"

**9-27-12** Vice Principal Reed, CHS that mason was late Monday. He missed gym and science.

**10-2-2012** Police will increase their presence at Cheshire High School Tuesday after someone found a threatening message scrawled in a bathroom.

Jeff Solan, Cheshire High School Principal, told police the message read "people will die in school on October 2nd according to the Mayans", authorities said

There is a school threat scrawled **in the boy's bathroom. "Someone's going to die today."** Mrs. Criscuolo calls me at home she is worried something's wrong with our son. I ask if she thinks I should pick him up - she says, "yes."

**10-3-2012 My son's schedule is abruptly changed. Lynn Criscuolo writes, "unfortunately the change was made not realizing the ramifications/repercussions that would arise."**

**10-7-2012 I email Dr. Hodes** My son will not undress or attend gym class. The school suggests an escort or he changes in another area. I explain when I ask him why he says, "because he's disabled." I ask Dr. Hodes to think about a safer environment for him with a friend; he cannot hear in that environment and its difficult for direction and social exchanges. He feels "lesser than" and I ask her to shed light with the teacher about his physical and emotional challenges.

MY SON HAD NO ONE. HE BEGAN TO SKIP CLASSES AND AVOID SCHOOL. HE WAS HIDING IN BATHROOMS. HE HAD UNTROLLABLE BOWEL ISSUES. HE LOST A LOT OF WEIGHT. HE WOULD SIT IN HIS ROOM AND MAKE WHIR AND CLICK SOUNDS. HE HAD NIGHTMARES. HE'D SLEEP WITH BASEBALL BATS. HE FELT HE WAS BEING WATCHED. HE WOULD RUN AWAY. IF HE WENT OUTSIDE AT ALL, HE RODE HIS BIKE IN CIRCLES IN OUR BACKYARD.

**On 12-11-2012 It was suggested to me that because of our son's struggles, peer difficulty, anxiety, and school avoidance, that we consider the New Start Program** in CHS with Mrs. White. I ask my son if he'd consider going to school to one teacher and classroom with less school passing with Mrs. White. (I thought he'd be safe there and it would not be so stressful. That Mrs. Criscuolo, Dr. Hodes, and Mrs. White would help him.) My son agreed to the change; the only stipulation: he can still see his friend Byron at lunch.

**12-17-2012 We have a PPT and my son begins the New Start Program.**

**12-26-2012 My son reports to his grandmother that he can't use his locker. When she asks him why he says, "Because there's GOO all over it." My mother asks him what he does with all his books? He answers, "They threw them all away."**

**12-26-2012 I email Dr. Hodes, CHS Psychologist to inform her of the goo, not using his locker, all his belongings being thrown away. I also relay that the boys hide my son's backpack. I write, "bullying as we know has tragic consequences and I do not want Mason to keep going inward."**

**1-2-2013 Lynn Criscuolo, Case Manager, TOD, writes, "we are hoping with Joanne (Mrs. White) will help him get through some of his anxiety and allow him to recognize JUST HOW MUCH HE HAS TO OFFER."**

**1-3-13 Vice Principal Maureen email: My son is on camera putting milk on someone's locker. He has a Saturday detention." She writes, "My son reported that they took all his notebooks out of his locker before vacation..." Mrs. Reed tells him she, "Doesn't have that on camera, and to put a lock on his locker."**

**1-12-2013 We approach our son Saturday morning to have him get ready for detention. We go up to his bed and try to wake him, startled, he whips out a small bat he sleeps with! Our son told us we would have to drag him out of bed to go to school. He was extremely agitated and shaking and screamed that, "They put goo all over my locker and call me a fucking fagot...they call me it all the time...they think I don't hear them...they say I'm deaf and I don't hear them anyway...they put goo in my food and throw it away at lunch...say I'm a retarded fagot...they all jump out from behind the corners at me and make like they're going to punch me.....they**

**threw all my stuff away and Mrs. Reed doesn't believe me....why am I always getting in trouble...they're not going to do anything if you tell them...no one believes you!"**

**1-12-2012 I email Vice Principal Reed: I relay what our son has told us. I write:**  
**"My son is in an unsafe, hostile environment and he is being bullied. He is a person who has multiple disabilities and I feel this has contributed to his failure in the mainstream.** My husband and I want to meet with you as soon as possible about what the school is going to do about this. I am very upset about this. He is not going to detention today."

**1-14-16** My husband I go to Cheshire High School to meet with VP Reed. We demand that the school do an investigation and make our son safe. She relayed she didn't have time today and kept looking at her watch. We demanded she conduct an investigation today. She relayed that the boys will be "truthful." And that she was upset because our son was not a good reporter. We relayed that not believing him contributed to our son's failure in the mainstream and his significant anxiety. I expressed that as a child with a disability he has civil and human rights and that they were being violated. (The school knew that our son was special education, multiple disabilities, and had a history of suicide and had recently been removed from the mainstream as a result of his significant anxiety.)

**ON FEB 18, 2016 I AM IN RECEIPT OF INTER-OFFICE CORRESPONDENCE OF CHESHIRE PUBLIC SCHOOLS LOADED ONTO THE CD 1-16-2016 VIA REQUEST FOR EDUC. RECORD MADE IN SEPTEMBER 2015**

**I FIND THIS STRING OF EMAILS:**

From: "Hodes, Traci" <thodes@cheshire.k12.ct.us>

To: "Reed, Maureen" <mreed@cheshire.k12.ct.us>

Date: 1/14/2013 1:55:11 PM

Subject: RE: please read and let me know how to edit-thanks Attachments: serra.docx

I'm sending it back to you with changes on the last paragraph.

From: Reed, Maureen Sent: Monday, January 14, 2013 12:14 PM

To: Hodes, Traci

Subject: please read and let me know how to edit-thanks

Importance: High

I would like to get this out before 2, so I would appreciate you reading it and maybe sensor anything I should not say or should change.

Mr. and Mrs. Serra, Here is how my investigation went.

I spoke to five boys (individually), who Mason eats lunch with. Here are the facts that were shared with me.

1. Others have called Mason a name, such as faggot, not to his face. (No one out of the five boys said that it has been to his face; one said that Mason and someone else were approaching the group when they said it). The point is, he was called a name.
2. Mason has called one of the students retarded and idiot. It was heard by at least one other person in the group.

3. No one said they have seen Justin put up his arm to Mason; however, one student reported that at lunch, it becomes heated.

I have followed protocol with the students involved. I will include that you speak to Mason regarding calling another student the names.

If another incident happens, I need to know right away. I will also watch in the cafeteria because I am on duty there every other day.

**Mason might want to try to explore making other friends because my understanding from talking individually with each student is that the majority of them do not want to be friends with Mason.**

**(DR. HODES "SENSORS" VP REED)**

Comment [HT1]: I might say something like this. "My greatest concern for Mason is that in speaking with these various students, it became clear to me that they do not have Mason's best interests at heart. Some of the things they said to me make it clear that they don't feel friendly towards Mason, and that makes me very worried that he perhaps isn't seeing those cues, and is unintentionally setting himself up to be a victim"

**THE SCHOOL PSYCHOLOGIST WRITES "...AND IS UNINTENTIONALLY SETTING HIMSELF UP TO BE A VICTIM"**

**THESE STRING OF EMAILS ARE WITH:**

**VICE PRINCIPAL MAUREEN REED**

**DR. TRACI HODES, SCHOOL PSYCHOLOGIST**

**LYNN CRISCUOLO, CASE MANAGER AND TEACHER OF THE DEAF**

**JOANNE WHITE, NEW START SPECIAL EDUCATION TEACHER**

**1-14-2013** I email Mrs. Reed to go into to her office at 10:00. I ask that Dr. Hodes attend as well.

**1-14-2013** Maureen Reed emails Dr. Hodes, "PLEASE come to this meeting."

**1-14-2013** Dr. Hodes responds to VP Reed "UGH... I will be at supervision then up at the board. I could do 10:45 would that work?"

**"UGH" THAT'S HOW THE PROFESSIONALS I ENTRUSTED FELT ABOUT MY SON.**

**1-14-2013** I email Principal Solan, CHS I send him documents "Reed email" I note "it's hurtful to read that my son is making himself a victim." I include my letter to VP Sansoucy. I also write that "I appreciate the efforts of Lynn Criscuolo and Dr. Hodes whom I think are extraordinary advocates."

**SADLY, I WAS THE ONE WHO DIDN'T SEE THESE PEOPLE FOR WHAT THEY WERE; BUT MY SON DID - WHOM THEY FELT DIDN'T SEE SOCIAL CUES AND MADE HIMSELF A VICTIM.**

**1-16-2013** I email Superintendent Greg Florio I write "I wanted to inform you of the events that have transpired thus far involving bullying of my son. We are hoping a plan will be put into place so that my son will be able to attend school safely."

**1-16-2013** Superintendent Florio writes "He will review my letter and concerns with Mr. Solan and the appropriate staff."

**ON CHESHIRE'S CD I RECEIVED ON FEB 18, 2016, I FIND THAT ON JAN. 16, 2013 DR. FLORIO SENDS MY EMAIL TO:**

**JEFF SOLAN, PRINCIPAL CHESHIRE HIGH SCHOOL  
SCOTT DETRICK, (FORMER/INTERIM CHS PRINCIPAL DURING MY  
INITIAL REPORT TO VP SANSOUCY) CURRENT VICE-SUPERINTENDENT  
AND SAFE SCHOOL CLIMATE COORDINATOR  
CHRIS BROWN, DIRECTOR PUPIL PERSONNEL SERVICES, AND  
PRINCIPAL OF HUMISTON SCHOOL CHESHIRE**

**1-14-2013** I speak with Principal Solan on the phone. I explained that my son had threatened suicide and did not feel that the school would do anything and he would be beat up and continually harassed. I expressed that my son felt no one believed him and he did not trust Mrs. Reed. He hadn't been made safe. Mr. Solan mentioned he would not be in school tomorrow; I told him I did not feel my son would be safe at school tomorrow.

There was no mention of a safety plan. I'd come to find *coincidentally* over the 2-year statute of limitations, that the school, had not verified what had happened to my son as bullying.

**VICTIMS AND THEIR PARENTS SHOULD HAVE TO MEET WITH THE SAFE SCHOOL CLIMATE COORDINATOR OF THEIR DISTRICT TO DOCUMENT THE INCIDENT ON THE DATE OF THE INCIDENT. THEY SHOULD GO OVER POLICY; REPORT OF BULLYING FORM/INVESTIGATION SUMMARY, AND BE PROVIDED A COPY OF IT. VICTIMS AND THEIR PARENTS SHOULD BE ABLE ACQUIRE THAT DOCUMENT TO REPORT TO AGENCIES OF WHAT ACTIONS HAD, OR HAD NOT TAKEN PLACE.**

On the CD that had uploaded information on it on 1-16-2016 there is an email from Principal Solan dated **1-14-2013** to VP Reed, Dr. Hodes and Jennifer Thompson. He writes that he and VP Reed developed a four piece plan that she can bring you up to speed with tomorrow..."

I QUESTION WHETHER THIS EMAIL WAS ADDED LATER.  
IT HAD NEVER BEEN MADE KNOWN TO US THERE WAS A SAFETY PLAN.  
CHESHIRE DID NOT VERIFY THAT MY SON HAD BEEN BULLIED.

**SCHOOL DISTRICTS BY NOT VERIFYING ACTS OF BULLYING AND/OR HARASSMENT TO PURPOSELY PROTECT THEIR IMAGE BY HOLDING THE VICTIM HOSTAGE IN THE UN-SAFE AND HOSTILE ENVIRONMENT, EFFECTIVELY AND ADVERSELY AFFECTING THE VICTIM. THIS CAUSES CONTINUAL HARM, OR EVEN SUICIDE.**

**INSTITUTE PENALTIES OF SCHOOL DISTRICTS BY NOT PENALIZING FEDERAL FUNDING, BUT DIRECTLY PENALIZING ADMINISTRATION VIA UNPAID ADMINISTRATIVE LEAVE.**

**1-17-2013** (CD discovery) VP Reed writes to Principal Solan, Dr. Hodes, and Lynn Criscuolo, "she's responded to parts that I think I should." She wants to make sure that they are all on the same page that my son was removed from the mainstream curriculum to new start because of his emotional state which may be due to his relationships with other students, but it's not the reason.

**2-13-2013 The Office of Civil Rights opens an investigation of Cheshire Public Schools** based on my allegations that my son was discriminated against based on disability, that he was not evaluated prior to moving him from the mainstream to New

Start special education program in Dec. 2012 and that the district did not respond to my complaint in January 2013 when he had been harassed based on his disability.

**3-11-2013 pg. 147 of OCR investigation** Chris Brown, Dir. PPS writes,  
**"that Mr. Solan and Mrs. Reed noted that they were previously aware of the concerns noted in my email to Dr. Florio." He also writes that a follow up meeting was scheduled with Dr. Hodes, Mrs. Criscuolo, and Mrs. White with myself on January 17 "to review steps that would be put in place to support my son and the actions that would be taken to prevent the concerns that were noted in my letter."**

Mr. Brown attaches email evidence for Molly O'Halloran OCR investigator. Coincidentally it does not include the "sensored" investigation that VP Reed and Dr. Hodes wrote that stated that my son made himself a victim.

We did not review a safety plan at this meeting. Mrs. Criscuolo came in telling my son, "I'm so sorry... I had no idea....".

**3-5-2013** was when I met with Dr. Hodes Psy., Mrs. Criscuolo CM TOD, and Mrs. White Spec. Ed., Mrs. White relayed her daughter is bi-polar and they were in agreement that my son should be medicated. (Dr. Hodes had previously emailed me information on Risperdone.) I informed them that my uncle had been bi-polar and while on medication, committed suicide. They felt that although my son was suicidal, he wasn't right now. I expressed I felt the root cause of my son's decline was the on-going pervasive harassment he was made to endure for such a long time with no protection. I did not believe his decline and behaviors were because he was on the autism spectrum. I asked that my son be thoroughly evaluated. Dr. Hodes said he wasn't due till 2014.

Dr. Hodes emails Chris Brown, PPS and Stephen Proffitt spec. ed. our email correspondence. My son is sick everyday with uncontrollable and painful bowel issues as a result of his anxiety and treatment. He does not want to go to school. No one has done anything to help him. He is hiding within the school.

**2-14-2013** (OCR inv p 213) letter to Superintendent Florio. Molly O'Halloran, inv left a voicemail w his executive asst. ? that OCR opened an investigation against the District and they had 15-days to respond to the request.

**2-14-2013** (OCR inv. p 213) Molly O'Halloran, inv. receives from ? (redacted) "Ms. O'Halloran for you for the phone call and email. We will respond the her request within the 15-day requirement."

**2-19-2013** (CD) Dr. Hodes writes Chris Brown, **"If you need me to come in and discuss any of the issues around my son, and how we, with mom's help, decided on New Start, just let me know."**

**3-4-2013** my email to Dr. Hodes Mason is home again.

**3-5-2013** Dr. Hodes forwards my above correspondence to Chris Brown and Stephen Proffitt and conveys that I told her, Mrs. White, Spec Ed, and Lynn Criscuolo, CM, TOD that I would be moving out of District. **She writes "I would think at this point we need testing before we do anything."**

**3-11-2013 (CD)** Dr. Hodes forwards my email to Chris Brown. I explained in this email that my son says HE CANNOT GO TO CHESHIRE HIGH AND DOES NOT TRUST ANYONE. Hodes writes to Brown, "...mom's not really looking for outplacement, just can't figure out how to get her son to school.... only one day of CAPT and we haven't been able to get him back AND I BELIEVE HIS ANXIETY HAS JUST SNOWBALLED EVERYTHING..."

**3-11-2013** Molly O'halloran writes Mr. Brown, Pupil Personnel Services, she wants to speak with Ms. Hodes; Ms. Reed; Ms. Criscuolo, and Mr. Sloan.

**3-13-2013** (email) to Molly O'Halloran, OCR from me. I write Mason is unwilling to attend school. I've been in touch w Dr. Hodes and although he was moved to spec. ed. (safe) class he has expressed he doesn't want to go to "that" school anymore. I'VE ASKED FOR AN EMERGENCY PPT; BUT IT'S NOT SCHEDULED 'TIL MARCH 28TH.

**3-19-2013** (CD) VP Reed email to Chris Brown, "Do we need to hold a PPT for ?" He is not coming to school. I know Traci (Dr. Hodes) inquired about tutoring or 3-5 program. AT WHAT POINT DO WE DISCUSS EDUCATIONAL NEGLECT?"

IN MY EXPERIENCE, AS EVIDENCE REPRESENTS ABOVE, THAT SUPERINTENDENTS, PUPIL PERSONNEL SERVICES COORDINATORS, SAFE SCHOOL CLIMATE COORDINATORS, PRINCIPALS, VICE PRINCIPALS, SCHOOL PSYCHOLOGISTS, TEACHERS, AND SCHOOL DISTRICT ATTORNEY FIRMS WORK TOGETHER COLLECTIVELY AND COLLUSIVELY TO WITHHOLD DOCUMENTATION AND HIDE DOCUMENTATION RENDERING VICTIMS AND FAMILIES HOPELESS AND HELPLESS WITH NO LEGAL RECOURSE. PENALIZING THE VICTIMS.

**THE 2-YEAR STATUTE OF LIMITATIONS FOR VICTIMS NEEDS TO BE LIFTED SO THAT PROFESSIONALS WILL DISCONTINUE THEIR ABUSE OF THE STATUTE. IT WILL PROMOTE ACTUAL, TIMELY, AND PROPER RESPONSE OF OUR CHILDREN.**

**3-14-2013; 3-20-2013; 3-30-2013; 4-5-2013** (OCR INVESTIGATION REC.D FEB. 2016) There is correspondence on the emails between Chris Brown, Pupil Services, and Molly O'Halloran, inv. OCR where the law firm of BERCHEM, MOSES, AND DEVLIN LAWYERS IS COPIED TO (msmith@bmdlaw.com). Pg. 146 Chris Brown writes, "I

WILL CONFIRM ONE OF THESE DATES WITH YOU AS SOON AS I CAN GET THE SCHEDULE COORDINATED WITH OUR ATTORNEY."

**SUPERINTENDENTS, ALL SCHOOL DISTRICT PERSONNEL, AND THEIR LAW FIRMS SHOULD NOT BE ABOVE THE LAW. THE INTENT TO WITHHOLD EVIDENCE, CONCEAL EVIDENCE, AND/OR COMMIT PERJURY OR SUBJOURN PERJURY, SHOULD BE HELD ACCOUNTABLE. KNOWING THEY COULD BE HELD ACCOUNTABLE WILL DISCONTINUE THE SYSTEMIC ABUSE AS FOLLOWS:**

*I had been a witness for CT Kids First, Joseph Bango. Apparently, the current acting Superintendent, Scott Detrick, and Cheshire's Law Firm, Berchem, Moses, and Devlin are above the law. FOIA deemed Scott Detrick credible. It is incredible that my son survived these professionals in Cheshire.*

**FOIA HEARING JULY 15, 2015 - 2:30 p.m. Hartford, CT, Commissioner M. Streeter (MS); Attorney Paula Pearlman (PP)**

**Complainant:** Joseph Bango (JB) and CT Kids First

**Respondent:** Superintendent of Schools, Cheshire Public Schools and Cheshire Public Schools, Attorney for the respondent, : Rebecca Goldberg (RG), Berchem Moses & Devlin P.C.

R. Goldberg questioning Scott Detrick (SD), Assistant Superintendent; District Safe School Climate Coordinator

16:59 - 17:08 RG: "I will question my witness (Scott Detrick, Assistant Superintendent, Cheshire District

Safe School Climate Coordinator) just to further...that those documents requested do not exist..."

19:05-19:20 RG: "What is your role for Cheshire Board of Education?"

SD: "I am the Assistant Superintendent for instructional services...I am the District Safe School Climate Coordinator."

19:21-19:35 Re req. # 2 (List of *all* incidents of school violence/threats)... RG: "Does such a list exist?"

SD: "No."

19:36-19:48 Re req. #3 (List of *any* 911 calls regarding school violence/threats) RB: "Does such a list exist?"

SD: "No."

19:49-20:09 Re req. #4 (For communications between (the) central office and individual schools regarding bullying and/or threats of violence to staff and/or students) RG: "Do any such documents exist?"

SD: "Well, um, it is possible that a document may exist...in my search and investigation I did not find any such records."

21:00-21:08 (Request for clarification Commissioner, M. Streeter to Detrick) MS: "Before you begin...part 4...where did you search and investigate? What did this entail?"

21:09-21:30 SD: "I did talk with all central office staff to ask them if any documents or communications existed relative to bullying or threats of staff and students existed...did not find any existed...Did my own search; did not find any record."

23:31-23:35 JB: "What is a verified act of bullying?"

SD: "It has to meet the States definition..."

23:42-23:55 JB: "Is a threat to kill a child considered bullying?"

RB: "Objection. Asking witness to render legal conclusion based on State Statute..."

23:55-24:18 MS: "You said an act of bullying has to do with a State Statute...but if you could...clarify for my knowledge..."

SD: "It is very complicated and confusing...um, it is included in our Safe School Climate Plan and it is part of Board of Education Policy..."

24:18-24:31 SD: "The definition in general is: a repeated act over time to humiliate, harass, threaten, and continues to go on...that's what it generally is..."

28:23 - 29:33 : PP: "The lists that the first 3 items are all requests for lists... I see you provided that first response of verified acts of bullying log in response to #1... Is that something that was already in existence; or, did you create that? So, that was already in existence? Okay, and then... so you provided them." For #2 and #3 would've required you to compile... there are no lists in existence?"

SD: "Correct."

PP: "In response to Commissioner Streeter's question regarding #4, you indicated that you; your search; in speaking to all central office staff and performing your own search in your files..."

SD: "...and building Principals...if I did not add that I..."

PP: "And did it also include search of electronic communication too?"

SD: "Yes."

PP: "So, both paper and electronic?"

SD: "Yes, um hmm."

From audio tape: <[FOI-2UA1221JSY]\_20150715-1446\_01d0bf0cf9f8a880.wma>

**FOIA APPEAL OCT 28, 2015 - 2:00 p.m. Hartford, CT BEFORE THE Commission; including M. Streeter initial decision no violation**

**Complainant:** Joseph Bango (JB) and CT Kids First

**Respondent:** Superintendent of Schools, Cheshire Public Schools and Cheshire Public Schools, Attorney for the respondent: Rebecca Goldberg (RB), Berchem, Moses & Devlin P.C. Scott Detrick (SD), Vice Superintendent; Safe School Climate Coordinator, did not attend.

3:00 JB: "... (My) first question (in regard to the) list provided... if testimony is to be accepted by the

Assistant Superintendent...If there are no documents... My question for the Commission is...If there is no antecedent basis for the producing of the list of verified bullying incidents, how do you create such a list?"

8:14 RG: "Mr. Detrick (Asst. Superintendent, District Safe School Climate Coordinator) testified as to his efforts he went through to determine whether or not there were "responsive" documents and he concluded after an "appropriate" search that no such "responsive" documents existed.

10:47 RG: "The real issue here was credibility determination, to which the Commission should defer to the Hearing Officer was there to hear the witness testified credibly...all of the objections that Mr. Bango raised are purely speculative...How could they do it without it? Well, someone could pick up a phone...

there doesn't need to be a document for information to be shared."

3:22 JB: "I would further like to mention that entered into evidence was a communication of an internal response to a situation that was verified by police. The police report is a matter of record and was entered into evidence. Police confirmed that 3 students had conspired to bring; concealed in backpacks, knives to school to stab a child to death. The school district did not respond...public meeting...did not respond."

3:57 JB: "And my attorney requested information, (which was) entered into evidence... was that response...where the school district through their counsel states, "You should be aware that the incident on May 2, 2013...will be investigated by school officials."

4:13 JB: "If it was thoroughly reviewed and investigated, how can there be no documents?"

7:10 RG: "With respect to finding 12, that pertains to items 2 & 3, were for a list of (all) school violence threats, and a list of (any) 911 calls regarding school violence threats.

7:26 RG: "No such lists exists."

9:53 RG: "With respect to the 5th request, the (a) report of any police response to any Cheshire School...Mr. Bango produced, introduced into evidence, a police report that he presumably obtained; I can't recall whether he testified to this...he obtained from the police department. The Cheshire Police Department likely does maintain such documents.

10:19 RG: "The Cheshire Board of Education; Cheshire Public Schools, does not maintain such documents...and, again, we are not saying that this document doesn't exist anywhere in the world, but it doesn't exist within the Respondent's possession."

7:37 RG: "Since that time Mr. Bango has submitted another FOI request in which he has asked for all the underlying documents that might go into such lists. He doesn't phrase it that way; but he asks for underlying documents and he has been informed that the documents available that pertain to bullying incidents and things of that nature.

8:03 RG: "But the School does not maintain a list of school violence threats; nor does it maintain a list of 911 calls."

8:10 RG: "And to the extent that individualized documents may exist it would require research

4:20 JB: "In the Safe School Climate Program (Policy) that has been instituted by (the) State of Connecticut require a Safe School Climate Coordinator be appointed."

4:30 JB: "The respondent, whom testified, Scott Detrick, The Assistant Superintendent, is that person. Records must be provided in a list of verified bullying incidents to the State of Connecticut... How do you, once again, provide that list (if there are no documents) in a vacuum?"

6:44 RG: "#10 pertaining to the 1st request of a list of (all) student bullying incidents that was provided to Mr. Bango. **Mr. Bango's contesting the accuracy of that document and simply that is not a matter of Freedom of Information (FOI) Commission.** The documents that existed with respect to a list of (all)

student bullying incidents was provided. Therefore, there was no violation."

4:55 JB: "It was astonishing 6-months after Newtown that the District states, "I do not know your basis for your somewhat inflammatory claim that backpacks need to be checked for weapons... But you're correct, the School has not done so, and has no intention of implementing such a policy."

5:07 JB: "It was also entered into evidence a parent whose deaf child was being bullied...shoved into lockers...and, ultimately stated that he was going to commit suicide..."

5:23 JB: "Once again, the District (Detrick testified) says there are no records."

8:28 RG: "In respect to finding 12, that pertains to communications between central office and "the"

individual schools (regarding bullying and/or threats of violence to staff and/or students) and, what is really critical in understanding the nature this dispute of that requirement is that the phrase between (the) central office and "the" individual schools (regarding bullying and/or threats of violence to staff and/or students) means that on one end of the communication is central office and on the other end of the communication is "the" individual school (schools).

**There were no such communications that existed.**

9:02 RG: "Mr. Bango provided with his complaint, he just referred to one of them... a letter from my law office to Mr. Bango. That is not a communication between central office and the individual school.

9:17 RG: "Ms. Serra testified regarding emails she had sent to school administration. She provided a stack of emails as evidence...looked at the stack of the emails; not one of those emails was

communication between central office and the individual schools."

5:28 JB: "So, I also ask the Commission, what do we need to do to refute testimony?" What makes a testimony before this Commission credible?" "If there's some critical mass at which someone has to provide evidence before the Commission..."

5:44 JB: "We're in the proverbial chicken and the egg scenario... You need documents in order to refute testimony; but if you cannot get the documents because someone (Detrick) stipulates the documents do not exist... How do we refute the testimony?"

11:25 COMM: "No, I mean it seems like it's a well worn path of credibility...of you know determining the evidence is up to the prior(?) fact, and Commissioner Streeter is the leading producer here amongst the Commission. He's experienced at deciding what (?)

that is, and I would not substitute my judgment of what I thought credibility was."

5:57 JB: "We provide a police report; we provide their own communications; we provide communications to the Superintendent... My god, do we really have to wait for another Newtown or tragedy before we try and go ahead and find out this information?"

6:17 JB: "So that is my basis here. I would please ask the Commission to reconsider this case. Shouldn't these lives, their livelihood, their well-being... Is at risk here. Thank you."

12:02 COMM. (Winkler): "Legislation did pass a bullying statute some days ago...I'm not (sure) what it entailed; I don't recall...but it certainly...Did you look it up?"

12:13 COMM. (Streeter): "There's 10 statutes interlocking..."

12:15 COMM. (Winkler) "...With "interlocking with bullying"...mentioning (bullying)... that is the thing... Were there any school violence in the area, where you requested... that you knew of... or any 911 calls that you new of?"

12:32 JB: "Yes, there was an incident with Darcy School where a convicted felon tried to gain access to the kindergarten school and the 911 call disappeared. When I talked to the (Cheshire) Chief of Police (Dryfe); I also did a FOI request on that... He told me that the Officer's have discretion whether they want to write a report or not, and they erase 911 calls after 30 days."

12:51 COMM. (?): "I don't want to argue the point; but that's not bullying... that kind of threat would not be bullying."

12:59 JB: "The question was about violence..."

13:42 JB: "Let me respond to some of the statements mentioned earlier. First off, respondent's counsel whose mentioning my most recent FOI request I made... I am not interested in that request right now because I'm dealing with the facts at hand on this dispute on the original one. Additional documents were, and may have been provided since you opened the door, and those were only provided after the Child's Advocate's Office also demanded and thought there was sufficient justification to demand documents with subpoena authority. So, we are working with them on that, and we are talking to the Legislature..."

14:18 (Winkler): "I would... I was going to say..."

15:07 (Winkler): "Just a general statement: I just think bullying is on the rise; it should be taken seriously. Anything you can do to improve that area with the Legislature... I would go there... that route. I am going to support the report that is before us. but you need to take some action to get some strong language..."

15:36 (JB): "Can I respond to you... though there was a mention here... respondent's counsel stated that their communication was from their office to me; that's not the case. It was from my counsel with a copy to the Assistant Superintendent (Scott Detrick) who is also the (District) Safe School Climate Coordinator..."

15:51 (RG): "Fair enough; it is still not between central office and individual schools which was all that was requested in item #4..."

(JB): "But it goes back to credibility..."

16:01 (COMM): "I don't want back and forth... Are there any questions here?" "No sir..." "I'd like to entertain a motion to adopt the Commission decision... Any discussion?" "All those in favor..." "Proposed." "Motion carries. Thank you both very much."

BY THE TIME VICTIMS AND THEIR FAMILIES HAVE DISCOVERED OR RECEIVED DOCUMENTS OF WHAT HAS BEEN WITHHELD, CONCEALED, AND REALIZE THE EXTENSIVE INVOLVEMENT OF PROFESSIONALS WITHIN THEIR SCHOOL SYSTEMS, THE 2-YEAR STATUTE HAS GONE BY. THERE SHOULD BE NO TIME LIMIT TO THE CIVIL RIGHTS AND HUMAN RIGHTS OF VICTIMS, OR FOR ANY PERSON FOR THAT MATTER.

IN REGARD TO THE "PROTECTED CLASS" THEY SHOULD BE ACTUALLY PROTECTED.

SCHOOL DISTRICTS, THEIR ADMINISTRATION, AS WELL AS THEIR COUNSEL, SHOULD NOT REST EASY UNDER A BLANKET OF IMMUNITY. VICTIMS ARE RENDERED HELPLESS BY DEEP POCKETS, EMOTIONAL, AND FINANCIAL EXPENSE.

SCHOOL DISTRICTS SHOULD NOT BE ALLOWED TO WRITE THEIR OWN POLICIES AND POLICE THEMSELVES BECAUSE THEY DO NOT FOLLOW THEM.

UNIFORM POLICY WILL REDUCE EXPERIENCES SUCH AS MY SON'S.

IN ADDITION WITH DISTRICT EDUCATION ON POLICY, INITIALLY AID/FUND STUDENTS IDENTIFIED AS SPECIAL EDUCATION AND THEIR FAMILIES BY PROVIDING THEM EDUCATION ON POLICY, AND THEIR RIGHTS UNDER THE UNIFORM POLICY AND THE LAW. PROVIDE ADVOCACY.

EDUCATE CHILDREN IN SCHOOL ABOUT BULLYING AND HARASSMENT. PROVIDE BYSTANDERS WITH TRAINING ON SAFE AND LOGICAL RESPONSIVENESS TO THOSE WHOM ARE TARGETED. IE GET THE VICTIM OUT OF THE SITUATION BY SAYING, "MARY THE PRINCIPAL WANTS TO SEE YOU."

DISCONTINUE PENALIZING THE VICTIM BY REMOVING THEM FROM THEIR CLASS/ROUTINE/SCHOOL OR ESCORT.

SUPPORT VICTIMS WHOM HAVE BEEN TARGETED WITH ON-GOING COUNSELING AND SUPPORT SERVICES.

COUNSEL PERPETRATORS. LET THEM KNOW THAT BYSTANDERS WILL NOT TOLERATE THEIR CONDUCT AND THEY WILL NOT HAVE A FOLLOWING. PENALIZE THE PERPETRATOR WITH REMOVAL FROM CLASS/ROUTINE/SCHOOL (VIA IN-SCHOOL SUSPENSION) WITH COUNSELING INVOLVING INTAKE AND EXIT REQUIREMENTS OF THE PERPETRATOR. ESCORT THE PERPETRATOR TO / FROM.

TEACH TO "SAY SOMETHING."

**6-5-2013** (OCR p84) from Molly O'Halloran to Chris Brown re: tech asst on harassment policy "here are suggestions for harassment policy timeframes for district completing major steps of in the event a student or parent should file whom with at the school. Remedies are available for complainants before an investigation is completed, in addition to taking actions to ensure harassment ceases and will not reoccur; it will remedy its effects, and list ex. of remedies other than just discipline of perpetrator ie counseling stay away orders etc.

THIS SHOULD HAVE BEEN DONE FOR MY SON. IT WAS NOT.

**6-5-2013** (OCR p84) from Chris brown to Molly O'Halloran, cc msmith@bmdlaw.com, re technical assistance on harassment policy "confident we will be able to update our policies ...please let me know what the final recommendations are for the actions our district should take...good learning experience for our district as a whole."

A GOOD LEARNING EXPERIENCE FOR THE DISTRICT - PTSD FOR MY SON.

6-24-2013 (p 83 OCR inv) from molly o'halloran to chris brown cc msmith@bmdlaw.com, re technical assistance on harassment policy "I proposed to management we should administratively close the case as resolved due to all the districts proactive action. Thank you for your efforts resolve the allegations."

WE MOVED OUT OF DISTRICT BECAUSE MY SON SAID IF I DID NOT HE WANTED ME TO PUT HIM UP FOR ADOPTION OR HE WOULD KILL HIMSELF.

OCR CLOSED THE CASE.

IT WAS NOT VERIFIED WHAT HAD HAPPENED TO MY SON. SO IT NEVER HAPPENED. NO LISTS EXIST. NO CORRESPONDENCE EXISTS CONFIRMING THIS EVER HAPPENED. HE NEVER HAPPENED.

*I have all items on this testimony. Unfortunately it did happen. We suffer every day for our son's treatment.*

*Please let me be of service in any way to promote Raised bill HB 381 to eventually acquire law that actually protect children from what happened to my son.*

*Adrienne Serra*