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# 'Help! Help!': How Ann Arbor schools allegedly covered up autistic boy's bus assault



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For Jaime Nelson, it's the screams, the blood-curdling screams, of her 7-year-old son that haunt her most, and rack her with guilt, pain — and anger.

The boy, who has autism, was assaulted by an aide on an Ann Arbor school bus — pinned down, smacked and restrained — and his mom wasn't there to protect him as he frantically yelled for help and flailed his arms. Moreover, the mother was kept in the dark about the incident for five weeks, she said, and didn't know exactly what happened to her child until four months later, when a detective showed her a videotape of the incident at the Pittsfield Township police station.

She couldn't breathe.

"It was like an out-of-body experience. ... He's screaming 'Help! help! help!' — that sound will always be with me," Nelson said through tears in a recent interview. "The part that I can't forgive myself for is that I wasn't protecting him — because I didn't know what was going on."

## **Mom sues Ann Arbor Public Schools**

It's that latter part, the not knowing, that landed the Ann Arbor Public Schools in court this week, accused in a federal lawsuit of trying to cover up the assault of a special education student, failing to report it to authorities as required by law, and endangering the child.

"I remember seeing her clearly lift her hand up and hit him, and just being disgusted," said Nelson, alleging the bus aide also threatened her son when he misbehaved or showed aggression, with comments like: "I really want to break your behind right now," or, "I whoop kids ... You got yourself into this."

That's what she told the child the day she struck him after he had swiped his arm at her — "a common behavior for an agitated child with his disability," the lawsuit states.

The law seeks to protect these children, said Nelson's lawyer, Megan Bonanni, who stressed that kids with autism and emotional impairments have an especially difficult time healing from trauma.

"That's what makes this case more horrific," Bonanni said. "He's permanently injured."

## **Bus aide convicted of child abuse**

The bus aide, 48-year-old Rochanda Jefferson, was convicted last month of fourth-degree child abuse in 14A District Court in Ann Arbor. She faces up to a year in prison when she is sentenced on Aug. 8. She also must register with the Michigan Child Abuse and Neglect Central Registry.

Nelson, a fourth-generation educator who taught high school for 19 years before becoming an administrator, attended the bench trial. Given her experience, she said she knew that proper protocol was not being followed at her son's school and that Jefferson lacked both the skills and training to deal with special needs children. The aide was also harassing her, she said, alleging Jefferson frequently called her and threatened to videotape her son on her cellphone.

For now, Nelson is relieved that Jefferson's conviction prevents her from working with children again. Neither Jefferson nor her lawyer returned calls seeking comment.

## **Teacher breaks silence: 'I don't feel comfortable keeping this from Mom'**

According to the lawsuit, "Nelson only learned of the physical abuse through a teacher who broke ranks to tell the truth." It was the boy's classroom teacher, who wrote this email confirming what Nelson and her lawyers maintain was a cover-up:

"I am concerned that I am going to lose all credibility with mom when she finds out that I knew about these allegations and didn't tell her," the teacher emailed the principal and others on Jan. 18, 2021 — more than a month after the assault. "I also don't feel comfortable keeping this from mom."

According to the lawsuit, before Nelson's son started riding Bus 17, the school district and bus company had received prior complaints of "threatening and aggressive" behavior by the aide at issue. Nelson would also learn from her son that the aide restrained him three times, and hit him more than once, "but it didn't hurt that bad."

## **School district defends its actions: We followed 'appropriate procedure'**

In a statement to the Free Press on Wednesday, the Ann Arbor Public Schools district defended the handling of the bus assault.

"The safety of students and staff is always the top priority of the Ann Arbor Public Schools. Staff at Carpenter Elementary and the transportation team followed appropriate procedures in responding to this unfortunate incident," AAPS Director of Communications Andrew Cluley said in the statement.

"AAPS and Durham Transportation team removed the offending individual from duty on the day the incident was observed on the video and contacted Child Protective Services immediately. There was no delay in removing the individual from duty, and AAPS and

Durham teams dutifully followed through on this case up to and including a member of the Durham staff testifying at a hearing in recent weeks."

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"The delay referenced by the parent is tied with the incident taking place just before Winter Break and then the district extending the break in 2021 due to a spike in COVID cases, so it was approximately five weeks before there was opportunity to complete the investigation, however after becoming aware of the situation the Durham monitor was immediately removed from duty and shortly after was fired from their position."

Durham Transportation, the school district's bus vendor, is also a defendant in the lawsuit.

"Safety is our priority, and we can confirm that we took prompt action by removing the former aide on the same day the incident was observed on the video," Durham said in a statement Wednesday, adding the company "immediately" contacted Child Protective Services after reviewing the video and "fully cooperated" with authorities.

## **'This is absurd ... they're playing with words'**

Nelson's lawyer scoffed at the defendants' responses, arguing it should not have taken five weeks to notify the mom about what happened to her son, or to look at the video.

"This is absurd," Bonanni said. "They're playing with words. ... They ignored the fact that there were multiple reports on the bus, and they never told the mom. They ignored those kids."

Bonanni argues the school district could have and should have looked at the bus video earlier and suspended the aide right away pending an investigation, but instead kept the aide on the bus and let a traumatized child ride it 17 times before the aide was finally removed.

They knew the mom was worried about her son on the bus, Bonanni said, but kept her in the dark — as the teacher confirmed in her email.

"That's the smoking gun," Bonanni said.

## **Mom: District's silence retraumatized my son**

For Nelson, it's the school district's silence that compounds her frustration as she kept putting her son on the bus, day after day, forcing him to face his abuser and subjecting him to more trauma.

At school, he often exhibited distress and fear in the afternoon as he anticipated riding the bus, the lawsuit states. And when he came home all upset from the bus, Nelson, who was a single mom at the time, would encourage him to behave, and tell him, "Don't get kicked off the bus because Mommy has to work."

"Knowing that I was telling these things to my child is so painful," Nelson said, as tears went down her face. "Because I would never want to cause harm to this child, who is already struggling in life."

## **What the video shows**

At about 4:30 p.m. Dec. 14, 2021, Nelson received a call from a school bus dispatcher, telling her that her son was having behavioral issues and that she may need to pick him up. At issue was getting the boy to sit in his assigned seat.

Video from Bus 17 shows that during the ride home, the boy had moved between different seats and crawled on the floor while the bus was in motion. At one point, he swiped his arm at the bus aide, who responded: "I'm gonna hit you back ... I whoop kids."

The bus driver, while pulled over, tried to carry the boy to his original seat at the front of the bus when the aide "roughly" took the boy from the driver and carried him by his arms down the aisle to his front-row seat.

The boy began to scream and tried to get away. The screams lasted for about 90 seconds, during which the aide threw him into a harness, partially buckled him in because she didn't know how to use the harness, and struck him with her right hand about four times. She stood back for a moment, then lunged at the boy again as he screamed and tried to get out of the harness, which was illegal to use for his disability.

He eventually broke loose, and stood by a window, eventually calming down.

At about 5 p.m., the bus arrived at his house. His mom was standing outside to meet him, but the boy ran past her, into the house and locked her out.

"(He) hid behind the front door sobbing," the lawsuit states.

The aide got off the bus and yelled at his mother. "She was irate that one of her nails had broken off in their interaction," the suit states.

## **Mom: Bus aide raised red flags from Day 1**

It was December 2021 when Nelson enrolled her son in what she had learned was a top-notch program for children with special needs. It was called the Emotional Impaired Self-Contained Classroom at Carpenter Elementary. This would be the ideal place for her son, she told herself, mindful of Ann Arbor's progressive reputation.

But on his first day at school, problems began immediately on Bus 17, which was designated for children with special needs.

On Dec. 6, 2021, when the bus dropped the boy off at home, the aide got off the bus to speak to his mom, telling her: "He swung out at me, and I can't hit him. So I don't know what you want me to do."

Nelson was stunned by the comment, and quickly suspected the bus aide had no experience or training to work with children with emotional impairments and behavioral challenges that are ordinary for special education children.

## Mom calls son's teacher

The next day, Nelson called her son's classroom teacher and expressed concerns about the bus aide. The teacher said she was very sorry about what happened, that she would look into it and agreed to walk the boy to the bus and introduce him to the aide, with some context about his special needs.

Soon after, the teacher informed the mom that she noticed escalated behavioral issues with her son at the end of the day, when it came time to head to the bus. She also told the mom that she spoke with principal Michael Johnson about the bus concerns.

On Dec. 13, 2021, one week after her son started his new school, the mom texted the principal, who is a defendant in the lawsuit. She asked his opinion about putting her son on the bus, and, according to the lawsuit, he told her she should put him on the bus.

"A few minutes later, (principal) Johnson texted Nelson not to tell any teachers," the lawsuit states.

The next day, her son was assaulted on Bus 17.

Multiple children on the bus reported the incident to a teacher the following day. A social worker interviewed them, documented their reports, and informed the principal about the assault and interviews. A Child Protective Services report on the incident was also filed by an unknown party on the day of the assault.

But Mom didn't know this.

The principal, who had emailed the bus company about allegations of a student being assaulted, didn't contact the mom until more than a month later, when he emailed Nelson at 10:25 a.m. Jan. 19, 2022, and told her he was investigating "two incidents" on the bus that "resulted in unsafe conditions" for her son.

A student intervention administrator who was copied on the email responded, thanking the "Carpenter team for working with the family and staff," and noting that the bus company had retrieved video of the incident.

This was the first time Nelson learned that there might be video footage. She asked to see it numerous times, though the district rejected all her requests.

In the end, it was her son's teacher who explained to her in a phone call that the "incident" referenced by school officials was an assault and that multiple children had reported it.

The bus aide, meanwhile, was removed from all buses after the video was reviewed. Criminal charges followed.

## **Bus driver apologizes to mom**

On Jan. 24, the boy began riding with a new bus aide on Bus 17. The driver told the mom he was "sorry" about the last aide, and "confirmed he had witnessed her being rough."

That day, the boy had a quiet and uneventful ride home on the bus. Over the next two weeks, he rode on the bus with four new aides, with no incidents.

## **'I'm not trying to take down Ann Arbor schools'**

On April 6, 2022, Nelson transferred her son to Progress Park, a public school dedicated to helping children with emotional impairments. It's a better fit for him, his mom says. It's a partial program, where he spends mornings with mom and afternoons at school. He enjoys swimming, baseball, and comes home from the bus happier, she said.

But the experience at Carpenter Elementary still weighs heavily on her.

Nelson, 44, who also has a 17-year-old son, has been advocating for her child with autism his entire life, fighting for him to be in a good school, to ride on a bus, to be understood and in the hands of professionals who understand his special needs and can educate him with compassion.

"I'm not trying to take down Ann Arbor schools," Nelson stressed.

But she wants the world to know what special needs children go through, how the world treats them like they're inconvenient, too hard to handle or untrustworthy when they



report abuse.

Nelson views her lawsuit as a "pathway to justice," for her son, and children like him.

"As a parent, your first role is to keep your child safe. And with a child that has special needs, it's even more intense how you have to help them in this world," Nelson said "Because the world doesn't work well for kids with special needs."

*Tresa Baldas is an award-winning courts and legal issues reporter and was named the 2020 Richard Milliman "Michigan" Journalist of the Year by the Michigan Press Association. Contact her at [tbaldas@freepress.com](mailto:tbaldas@freepress.com).*