



**Testimony
before the
Legislature's Judiciary Committee**

March 24, 2006

**SB 432, An Act Establishing A Demonstration Project For An Office Of
Administrative Hearings**

My name is Cal Heminway. I am Chair of the Granby Board of Education. I am here today representing our 2,350 students and 10,500 citizens. I am also speaking as a CABE Director for its 140 plus member districts and as a member of the CREC Council and its 35 member Towns.

I have one question to pose and a plea to make.

As I read the proposed legislation as it applies to local and regional boards of education, it would relieve them of existing prerogatives to manage their responsibilities under sections 10-186 and 10-187 of the existing statute. Determining and managing residency is a responsibility basic and critical to effective school operations. Public agencies such as school boards must routinely deal with such questions as residency as it relates directly to identifying and serving their client populations. There is also a clearly defined and available avenue of appeal to the state Board of Education. What organization is better positioned to objectively adjudicate residency than the community involved?

To impose a state agency upon this process has the effect of taking local Boards of Education from acting in their capacities as executive management to that of supplicant to a remote agency. I also suspect that introduction of a third party into the process would introduce delay and increased local expense as well.

My question, therefore, is a simple one. What problem or need is the proposed legislation attempting to address? School boards are not asking to have their governance prerogatives diluted. I know of no problems with either administration or objectivity of the existing process.

Much of recent state and federal mandates and "help" have served to make our jobs in serving Connecticut's public school children increasingly problematic.

My plea has to do with the use of our tax dollars.

The Connecticut Legislature has a long history of passing legislation affecting local community operations with the best of intentions but often lacking both a good understanding of the unintended consequences and commitment to the fiscal resources necessary for success. In this case, a new agency and the bureaucracy to go with it is proposed at a time when the long term state budget is in a serious structural deficit. In addition, we all could cite numerous examples of unfunded and partially funded state mandates which place pressures on the local property taxpayer that continues to go without being addressed.

In summary, the proposed legislation has not been requested by the local governing boards that it purports to serve, will negatively impact local day to day governance, will increase the size and cost of the state level bureaucracy, and place additional fiscal pressures on local tax payers. The bill has no merit.

Cal Heminway
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