



Connecticut Association of Boards of Education, Inc.

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Testimony

**Submitted
to the
Judiciary Committee**

March 16, 2007

**SB 1431, An Act Establishing A Demonstration Project For An Office
Of Administrative Hearings**

The Connecticut Association of Boards of Education (CABE) opposes the application of SB 1431, An Act Establishing a Demonstration Project for an Office of Administrative Hearings, to the proceedings involving special education and residency. While administrative law judges would have expertise in the area of administrative law, they would not have the expertise necessary to deal with the highly specialized issues in special education hearings.

The bill would relieve local and regional boards of education of existing prerogatives to manage their responsibilities under sections 10-186 and 10-187 of the 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. Introduction of a third party into the process would likely introduce delay and increased local expense as well.

No need has been demonstrated for the application of the proposed legislation to education hearings. School boards are not asking to have their governance prerogatives diluted, and we are aware of no issues with either the administration or objectivity of the existing process.

We urge you to exempt education administrative appeals from the provisions of this bill.