



# STATE OF CONNECTICUT

COUNCIL ON I

Public Hearing Testimony

Speaker:

John  
Flanders



February 29, 2008

Date: 2/29/08 Bill Number: 5590

RE: HB 5590 An Act Concerning Special Education And Instructional Methods Concerning Autism And Other Developmental Disabilities

Good afternoon Sen. Gaffey, Rep. Fleischmann and Members of the Education Committee.

My name is John Flanders. I am Chair of the Legislation, Policy and Planning Committee of the Connecticut Council on Developmental Disabilities. I am also a parent. I have a son with disabilities in the Cromwell school system.

The Connecticut Council on Developmental disabilities would like to express its very strong reservations regarding Raised Bill 5590.

The number of children diagnosed with conditions on the Autism spectrum continues to increase at an alarming rate and, as a federally mandated state agency with the responsibility of advocating on behalf of individuals with developmental disabilities and their families, the Council applauds the Committee's efforts to increase the amount of information available to the public and to provide resources to enable our schools to effectively support children who have autism, developmental disabilities, and other disabilities. In the case of this bill, however, that applause is offered with reservations.

Our concern lies in the bill's requirement that educators receive instruction in methods of teaching children with "autism and other developmental disabilities"... "as recommended by the Commissioner of Education." We fear that by promoting its recommendations for teaching methods the Commissioner's office may violate the Federal Individuals with Disabilities Education Act (IDEA), and worse, perhaps adversely effect the education of some children with developmental disabilities.

When Congress enacted the IDEA, the single most central element of

the requirements for the education of children with disabilities was the requirement that for each covered child a program would be individually designed by a team that included parents, educators, and experts who have personal knowledge of the child and his or her needs. The drafters of the law had the wisdom to understand that each child with a disability presents unique needs that can only be addressed by a program specifically crafted to meet those needs. Unfortunately, too often there are children who are not able to succeed in special education programs even when the methods used in those programs has proven to be remarkably successful for a majority of other students.

Therein lies our reservation to this bill. We fear that if the curriculum of teacher education courses and the in-service training programs contain a list of methods developed by the Department of Education, educators may be persuaded to adhere solely to that list. We fear that Planning and Placement Teams, including members who have receive this training, will feel that they have met their duty to develop an individual program solely by choosing from this list.

Children with disabilities, particularly those on the Autism spectrum, and children with developmental disabilities, present educators with a dizzying range of strengths, weaknesses, challenges, and needs. No single course of study can possibly be sufficiently comprehensive to allow even the best educators to design tools that will work for every child. Only a team with multiple expertise, working with specific knowledge of the individual child, imagination, and the best interests of the child, can effectively program for his or her unique needs.

That does not always happen. In even the best educational programs, teams try to fit children into existing programs. That is not surprising. Programming in this way is more efficient for the school. It takes advantage of the experience with programs that have been shown to work for other children. Having a list of methods devised by the Department of Education, and required for study, would only bring those methods closer to "holy writ" in the eyes of some educators. This in turn will make it more difficult for parents and experts not employed by school systems to have other ideas considered by PPTs. Some children (perhaps even most) will benefit from the provisions of this bill, but some, will inevitably fail because the programming options they need were not included in the list of methods included in the teachers' curriculum.

It is clear you understand that problems exist because some educators lack sufficient training to understand the unique and varied needs of children with disabilities. We applaud you for taking important steps to encourage our children's educators to learn more about autism, developmental disabilities, and the other disabilities they face. We simply ask that all support and all teacher education be done with a strong focus on the individual child. We fear that HB 5590 does not do this. On the contrary we fear that it may be a step in making the process less individual. So we respectfully request that you find a better way to encourage teachers to learn about our children. We offer the Council's resources to help in this process. But in the end we must ask that you not pass this bill as written.

Thank you.

Public Law 106–402

106th Congress

Oct. 30, 2000

Developmental Disabilities Assistance and Bill of Rights Act of 2000

Title I

Section 102

114 STAT. 1683 - 1684

(8) DEVELOPMENTAL DISABILITY.—

(A) IN GENERAL.—The term “developmental disability” means a severe, chronic disability of an individual that—

(i) is attributable to a mental or physical impairment or combination of mental and physical impairments;

(ii) is manifested before the individual attains age 22;

(iii) is likely to continue indefinitely;

(iv) results in substantial functional limitations

in 3 or more of the following areas of major life activity:

(I) Self-care.

(II) Receptive and expressive language.

(III) Learning.

(IV) Mobility.

(V) Self-direction.

(VI) Capacity for independent living.

(VII) Economic self-sufficiency; and

(v) reflects the individual’s need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

(B) INFANTS AND YOUNG CHILDREN.—An individual from birth to age 9, inclusive, who has a substantial developmental delay or specific congenital or acquired condition, may be considered to have a developmental disability without meeting 3 or more of the criteria described in clauses (i) through (v) of subparagraph (A) if the individual, without services and supports, has a high probability of meeting those criteria later in life.