

Friis, John

From: Lolli Ross [Ross@abilis.us]
Sent: Sunday, March 22, 2009 4:53 PM
To: Friis, John
Subject: TESTIMONY S.B. 1142

March 23, 2009

Education Committee
Room 3100, Legislative Office Building
Hartford, CT 06106
Attention: Sen. Thomas P. Gaffey and Rep. Andrew M. Fleischmann

Re: Raised S.B. No. 1142, Session Year 2009

Dear Sen. Gaffey, Rep. Fleischmann, and the Education Committee members,

Please accept this letter as testimony for my **OPPOSITION** to Sections 4 and 5 of raised Bill No. 1142, *AN ACT CONCERNING RELIEF OF STATE MANDATES ON SCHOOL DISTRICTS*.

Burden of Proof must not be changed - Section 4 (d)(1):

Connecticut must keep the burden of proof on the School District - the party who possesses the information upon which the decisions are made - as opposed to the parents who may have tremendous difficulty obtaining the information. CT and many other states have traditionally assigned the burden to districts since it is their obligation to provide FAPE, and since they have access to all of the decision makers, evaluations, and, typically, expert witnesses. Parents do not. Therefore, it has only seemed fair that if a parent challenges the appropriateness of the program to which they are legally entitled, the school must show they offered an appropriate program. Shifting the burden of proof to parents in essence weakens their due process rights.

Special education services must not terminate upon the child's twenty-first birthday - Section 5 (b):

Currently, Connecticut states that special education shall be continued until the end of the school year in the event that the child turns twenty-one during that school year. This makes good sense for students to complete a full school year with their schoolmates without disabilities and in terms of their school to work calendar. Planning for school districts and receiving adult services would be very challenging too if students were dropped from programs every month. It is very likely that many young adults would not have adult day services in place should Section 5 (b) pass.

New suspension regulations must not be delayed:

For students with disabilities, most suspensions are the result of schools not having appropriate positive behavioral support plans in place. Often these behaviors are a result of inadequate planning, and the student with a disability does not have meaningful access to the general education curriculum. Keeping the student in school is best educational practice and should not be delayed for 2 years.

3/23/2009

On behalf of the hundreds of families raising children with disabilities in Lower Fairfield County, I implore you not to change the current regulations in Connecticut in connection with burden of proof and when special education services end. I also ask that you do not delay in going forward with the in-school suspension rules.

Respectfully submitted,

Lolli Ross
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