

**Testimony of
SPED*NET, Special Education Network of New Canaan, Ltd.
PO Box 1610
New Canaan, CT 06840**

**To the Education Committee, Public Hearing
March 23, 2009**

Please accept this written testimony for our opposition to S.B. No. 1142:
*AN ACT CONCERNING RELIEF OF STATE MANDATES ON SCHOOL
DISTRICTS*

As the independent voice for students receiving special education services in New Canaan, CT for over the past decade, we are going on record to object **AGAINST** Sections 1, 4 and 5 of raised Bill No. 1142.

Section 1: In-School Suspensions regulations must begin on July 1 and NOT be delayed for two years!

The students we represent have disabilities and receive special education services. Most of the time, our kids misbehave because the program is inappropriate or lack meaning. Often positive behavior supports are not put into place. Thus, our kids get suspended for minor reasons. In some cases, our kids are simply not savvy enough not to get caught. When the schools send our kids home, they lose a day of education, which is exactly what they cannot afford to miss. Their working parents have to take the day off, as our kids with disabilities might have intellectual disabilities, seizures, diabetes, or Autism, and they cannot be left alone. Having in-school suspensions helps the students continue their academics during the school day. It also discourages the districts to use suspensions as a way to avoid figuring out how to meaningfully include the student into the fabric of school life.

Section 4: Connecticut must keep the burden of proof on the School District!

Connecticut Attorney General Richard Blumenthal stated that CT must continue to keep the burden of proof on the school district. He said "We believe that our regulation embodies a valid state policy that articulates our belief that school boards are in a better position to muster the facts and expertise in any contest with ordinary parents." (Quoted in the New York Times on November 17, 2005). Honestly, it is already difficult, almost impossible, for our parents to bring the districts to Due Process when our children are not receiving appropriate programs. Shifting the Burden of Proof to the parents and away from the schools will pretty much destroy any possibility of families being able to look to due process as a remedy.

Section 5:

Do NOT terminate special education services exactly on the day the student turns 21!

The current long-standing policy has been for school districts to allow students to complete the academic year in which they turn 21. Why does the CT State Department of Education do this? It's common sense! First, consider what students we are referring to. It's merely a tiny percentage of the total number of students who receive special education services. These are the students with the most significant disabilities. Turning this small vulnerable group of students into the streets, rather than allow them to finish their education in the traditional month of June, will create chaos. Most transition programs run from September to June. Connecticut knows this, so they allow students to finish out the year of their program during the year they turn 21. We are in a recession and schools are facing budget cuts. Perhaps dumping these students on their birthday would save money. This bill came up for this public hearing a couple of days ago. The parents of the students who are the most disabled do not know that the floor would disappear from under their children mid-way through a transition program. We accuse the Education Committee of trying to slip in this issue 11th hour. This tactic smacks of injustice and foul play.

Thank you in advance for considering our point of view.

Respectfully yours,

Judi Anders, President
Denise Buckenheimer, Vice President
Beth Lurie, Treasurer & former President
Board Members Jen Brockhaug, Victoria Muñoz, Carolyn White,
Executive Director Anne Eason

*SPED*NET, Special Education Network of New Canaan, Ltd. is organized exclusively to educate the public on special education and disability-related issues and empower parents, professionals, and students to become more effective advocates in their schools and communities, particularly in New Canaan, CT, and it's neighboring towns. SPED*NET serves as a resource for disability-related information, and as a parent-to-parent support and advocacy network for families of children with individual education plans (IEP's) and Section 504 plans. For more information, check www.spednet.org.*

