

Hayes, Katherine

From: Chathamsue@aol.com
Sent: Monday, March 23, 2009 12:33 PM
To: Friis, John; John@aol.com
Subject: OPPOSITION to Bill 1142

Please accept this letter as testimony for my opposition to S.B. No.
> 1142:

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- > /AN ACT CONCERNING RELIEF OF STATE MANDATES ON SCHOOL DISTRICTS.
- > To delay the implementation of the in-school suspension mandate until
- > July 1, 2011; to change the date in which a teacher is notified that
- > his or her contract will not be renewed from April first to May first;
- > to require that providers of school readiness programs submit space
- > allotment reports every other month; to establish that the burden of
- > proof lies with the party requesting a special education hearing; to
- > provide that a local or regional board of education's commitment to
- > provide special education to a child terminates upon the child's
- > twenty-first birthday; and to eliminate certain reporting requirements
- > on local and regional boards of education.**/
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- > This proposed bill will significantly harm students with disabilities.
- > I speak on behalf of my son with Autism Spectrum Disorder, all students with disabilities and their
- > families, most of who are unable to speak for themselves, and who do
- > not comprehend the gravity of the consequences this bill would have on
- > their ability to receive an appropriate education. Please remember
- > that the purpose of special education is...
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- > (a) To ensure that all children with disabilities have available to
- > them a free appropriate public education that emphasizes special
- > education and related services designed to meet their unique needs and
- > prepare them for further education, employment, and independent living;
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- > (b) To ensure that the rights of children with disabilities and their
- > parents are protected;
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- > (§ 300.1 IDEA 2004).
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- > The purpose is NOT to cut costs nor weigh the competing needs of
- > municipal budgets against costs of educating our most vulnerable children.
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- > Following are some specific comments:
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- > ***New suspension regulations must not be delayed:***
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- > Most suspensions are given for trivial matters. When students are sent
- > home they miss the education they sorely need. Parents often have to
- > miss work to supervise their child – and the student watches TV for
- > the day. 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

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> years.**

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> ***Burden of Proof must not be changed: ***

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> 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. This imbalance of power supports placing
> the burden of proof on/with the school district, the party with
> greater access to necessary evidence, based on the fundamental
> principles of fairness. Please remember that the goal of IDEA 2004 is
> to provide a free appropriate public education to children with
> disabilities. As we know, if the parents and the school district reach
> an impasse over the contents of an IEP, either side can request due
> process; however, practically speaking, it is almost always the
> parents who initiate due process because the school district typically
> can simply withhold the needed services, another illustration of this
> imbalance of power. This places an onerous burden on families to prove
> that the program is not appropriate, without the school having to
> assume any burden to prove that their program is appropriate.

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> ***Special education services must not terminate upon the child's
> twenty-first birthday:***

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> The federal special education law, The Individuals with Disabilities
> Education Act – IDEA 2004, does not prevent states from giving
> students with disabilities and their family's greater protection than
> the minimum protection that the federal law allows. IDEA 2004 states
> that special education services terminate when a student turns age 21.
> Connecticut, in its wisdom, states that such 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 is common sense as most
> transition programs run from September to June. Planning would be
> impossible if each student was dropped from said programs during each
> of the months, dependent on their birthdays.

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> Thank you very much for your consideration of this point of view. 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.

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> Respectfully,

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Feeling the pinch at the grocery store? Make dinner for \$10 or less.