

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

I am writing to object to the language in Proposed Bill #HB 5425. The language states that the purpose of the bill is "to establish that the burden of proof lies with the party requesting a special education hearing;" The current law states that the burden of proof is the responsibility of the school district to prove it has provided a "Free, Appropriate, Public Education" (FAPE) through the Individual Education Plan (IEP). The current law makes good sense because the school districts are in control of the records, staff, and the program. How would the proposed change affect parents who have children with disabilities in Connecticut? It stacks the deck more heavily in favor of school districts.

Historically, the majority of hearings reviewing the delivery of special education services to students with disabilities, our most vulnerable population, are already decided in favor of the school districts. This drastic 180 degree change of the burden of proof would make it excessively costly and almost impossible for parents of students receiving special education services to have a fair hearing with any reasonable chance of prevailing.

Thank you,

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