



Connecticut Parent Advocacy Center, Inc.

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This testimony is submitted on behalf of the Connecticut Parent Advocacy Center (CPAC), a federally funded state-wide non-profit organization, whose sole purpose is to educate parents of children with disabilities about their rights under the Individuals with Disabilities Act (IDEA). The philosophy of our organization is to assist parents in working with their local school district so that their children receive appropriate educational services.

Based on our 28 years of experience working with families throughout the state, we strongly oppose Section 3 of Raised Bill 5425, which places the burden of proof on parents in special education due process hearings.

Parents Centers like CPAC exist in every state in the country. The parental rights under IDEA were included with the recognition that parents are at a distinct disadvantage in having the knowledge and skills to make joint decisions with schools about an appropriate education for their children with disabilities. We know that the majority of parents want to work collaboratively with their school district and that for a variety of reasons, including lack of access to information and fear of damage to their working relationship, only a small percentage of parents attempt to resolve differences through a due process hearing. Placing the burden of proof on parents exacerbates the barriers already facing families of children with disabilities.

Secondly, and perhaps more importantly, in this era of increased accountability in public education, the local school district should bear the burden of proving that every child's program is appropriate. We already know that in most school districts in Connecticut few children with disabilities are performing as well as their non-disabled peers, as measured by our CMT and CAPT scores. CPAC has been working with the State Department of Education to focus on improving academic outcomes for students with disabilities. While we believe improving outcomes is a shared responsibility of families and schools, the bottom line is that the school district is charged with the primary responsibility of implementing and evaluating the effectiveness of their programs. Again, placing the burden of proof on parents to prove that their child's program is inappropriate is contrary to the current efforts to improve public education for all students.

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