

Testimony of Walter L. Glomb, Jr.
to the Joint Committee on Education
March 8, 2010

Good afternoon. My name is Walter Glomb. I am a parent of a student who recently graduated from 18 years of special education in Connecticut. I am also the president of the Connecticut Coalition for Inclusive Education.

I am here to today to voice my opposition to Raised House Bill Number 5425, AN ACT CONCERNING SPECIAL EDUCATION - specifically Section 3, which would establish that the burden of proof lies with the parents when they request a special education hearing.

Today you will hear from attorneys, advocates and other experts about the subtle legal, technical, ethical and moral issues that pertain to this bill. I am here to share with you the perspective of a parent who did request, and then endured, a special education hearing.

There was a time when my wife and I exercised our right to due process in order to insure that our son would receive a free and appropriate public education in the least restrictive environment. I can tell you first hand that this is not a simple project under our current state statutes and regulations.

The hearing process is costly – in both material and emotional terms. It places strains on the marriage, careers, siblings and family finances. The process may take weeks or months of preparation. The hearing may last for weeks or months. Compliance with the hearing decision may take years.

Parents who request a hearing will likely face a well-heeled law firm that specializes in opposing requests for supplementary aids and services in regular classrooms.

In some cases, families may need to appeal their hearing decisions to a federal court, where the trial may go for years – with additional costs and stresses.

In at least one case (P.J. et al v. State of Connecticut et al), where several families sought the same remedy in federal court, the process became a class action that is now approaching its twentieth year of litigation!

Altogether, Connecticut families are spending hundreds of thousands of dollars each year in these proceedings (not including the costs of the class action) to insure that their children receive a free and appropriate public education.

Parents do not exercise this right lightly. These are not frivolous actions.

If the federal courts choose to review the evidence presented in special education hearings with the burden of proof on the party requesting the hearing, then they can do so when a party appeals to the federal court. There is no need to add insult to injury with the proposed change to our state statutes.

Parents already carry an ample burden.

Please delete Section 3 from Raised House Bill Number 5425.

Thank you.