

Good morning,

I am writing you in response to the bill known as Raised Bill No. 5425 - or HB5425. 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 proposed change places the burden of proof onto the party requesting the hearing, which is often the family.

Being an educator as well as a parent of a special needs child who needs a placement other than what the local district can provide, I can only say as it stands now parents must fight for every minute thing their child needs when in the public system. I think for once, as educators, we should at least attempt to better understand all the family is going through on a daily basis without causing more hardship when it comes to education. The choice of the word "burden" is just one more thing parents of special needs children DON'T need. Why must a parent have this *burden* when it is the educational system that must provide what the child needs in order to learn? Many parents do not have the means or knowledge necessary to fight yet another battle for their child.

In my opinion, as both an educator and parent, it is the responsibility of the public education system/local school district to carry the burden of proof proving that they have indeed provided a "Free, Appropriate, Public Education" (FAPE).

Thank you!

Cheryl Dias-Kohler