

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

Shifting the burden of proof for due process will destroy the very ideals that were designed to protect our children. My son has a "low incidence disability". Our district has NEVER had the opportunity to educate a child with the educational classification of Deaf/blind prior to my son entering public school in 2000. So as you might imagine our district does not a tried and true program to fit his needs. While he is in the public school system the educators have done very little to educate themselves on my son's syndrome. Too often our Special Education director informed me that "They do not have to provide a Cadillac program". True however we as parents are not expecting perfection but it must be a program that works to meet our children's specific needs. CHARGE syndrome is a very rare syndrome 1 in 10,000 births. It is marked with several birth defects and to date my son has had 19 surgeries and he is only 12. Many of our children with such a traumatic beginning are very far behind their peers. He is visually impaired and hearing impaired and those are the senses used to LEARN. He is already behind the eight ball. Here in CT we are lucky enough to be in close proximity to Perkins School for the Blind. They are experts in the field of Deaf/blind education and a wonderful resource. Perkin's staff offered to come down to train the school staff to help my son an offer that our Special Education Director flatly refused. Alex needs specific interventions designed to forward his educational career. Often assistive technology is used to bridge that gaps he experiences. He uses a FM unit to hear his lessons. The staff used it sporadically and I found my son failing and being excluded from learning. It is clearly stated in his IEP that it MUST be used and fact the district ignored. Learning of this along with other issues related to Alex's education I had to file a complaint. Long story short the district was found to have denied my son Free Appropriate Public Education.

The district was required to defend their actions or lack thereof and was found to have not done an adequate job. Shifting the burden to me might have led to a very different outcome. I am not in the school every day and I do not have the access to staff. Will changing the responsibility now allow parent "all access"? If I will now be required to defend my son's program I will require all access to teachers, classrooms and other professionals on a daily basis. I alone will create the program. I must be allowed to require extensive training of those said persons and be allowed to remove those who do not follow the program as I will design it. I then will be the leader of the IEP team with sole discretion and responsible for those involved and all the decisions made. Shifting the burden of proof to me suggests I will have control of the education plan...it would be silly to assume anything less. You certainly cannot expect me to bear the burden of proof on something I had no hand in writing. Currently as it stand I can voice my concerns and the school staff has the choice of honoring them. The IEP is written by and serviced by the district with minimal input from parents.

We as parents hope that when our children are being educated. The whole special educational system needs to be looked at since we have several staff members in our district working with our children that cannot or chose not to understand our children's disability yet they are allowed to educate them?? Due process is a remedy for parents, as with any job the educators should be required to defend their actions or lack thereof and bear the burden of proof. Due process is not an action that we as parents enter into lightly. It is a last resort. If the districts are offering our child all that is required under IDEA why wouldn't they want to passionately defend what they are doing? Removing the burden of proof from the district and placing it on the parents sets IDEA back 25 years.

I welcome anyone who is interested in contacting me. I would embrace the opportunity to share my experiences. I can be contacted at 203-881-1029

Thank you  
Ellen Steinbrick