

Dear Sir and/or Madam:

I would like to express my support for Raised House Bill #5425, which seeks to amend Section 3d, subdivision (1), subsection (d) of statute 10-76h of the general statutes. Specifically House Bill #5425 seeks to clarify that for issues in dispute between school districts and parents, the burden of proof rests with the party requesting the hearing.

Special Education is governed by Federal and State Law, the Federal IDEA and Connecticut Statute 10-76 which provide both students and their parents with many procedural safeguards, educational benefits and a clear forum to remedy a dispute between the school and parent. These safeguards include due process provisions where disputes can to be resolved via a series of steps, all the way to and including a hearing held before an impartial hearing officer. Connecticut is the only state that does not adhere to federal practices regarding the burden of proof in special education due process hearings. This difference has resulted in escalating costs for all boards of education in Connecticut cities and towns. Furthermore money gets needlessly directed into merit-less due process and settlements and away from children, both those with disabilities and those without disabilities.

I respectfully request you consider this amendment carefully.

Heather L. Shea  
Darien Board of Education Member  
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