

March 3, 2010 - Judiciary Committee Public Hearing  
H.J.No. 6 – Avoletta vs. State of CT. Department of Education

My name is Joanne Avoletta from Torrington, CT. I'm here today to oppose the Claims Commissioners decision on file # 21101, 21102 & 21103 to dismiss my claims on behalf of my children against the State of CT. Dept. of Education.

I'm represented by Attorney Deborah Stevenson as my children's education attorney and agree with her statements made at this public hearing.

I have four children, two older daughters and two younger sons. Both boys are disabled. Peter is the oldest and Matthew is the youngest.

Prior to attending 'TMS' Torrington Middle School in 1999, Peter was a healthy child. One week after attending the 'TMS', he was diagnosed with hypersensitivity pneumonitis and hospitalized. He lost several weeks of school. Following this, Peter developed asthma and required a breathing machine because inhalers and other medications were inadequate. His chronic cough and other breathing issues gradually progressed throughout the Middle School years. One week prior to entering 10<sup>th</sup> grade at 'THS' Torrington High School, Peter was diagnosed with irreversible lung disease by a Pediatric pulmonologist at 'CCMC' CT. Children's Medical Center. In addition to respiratory health issues, Peter developed chronic inflammatory gastro-intestinal disorder with an inability to gain weight with other related intestinal symptoms. Peter entered the Middle school small in size and finished with only a weight gain total of 5 to 7 lbs over a three year period. As a high school student, prior to 10<sup>th</sup> grade, he weighed approximately 81 lbs. He was also followed for several years by a Yale physician for the possible development of an autoimmune disease because of positive ANA titers.

Regarding my younger son, Matthew, he entered Torrington Elementary School in portable trailers for Kindergarten through 5<sup>th</sup> grade. Prior to attending Torrington, as an infant he was diagnosed with mild atopic dermatitis, otherwise a healthy child. By the end of his Kindergarten year, Matthew required allergy medications with an added one to his daily regimen for each new school year totaling five daily medications, steroids and antibiotics to treat his diagnosis of reactive airway disease, allergic rhinitis, asthma, sinusitis. Because this expensive medication failed to control his asthma & allergic symptoms, he required weekly immuno therapy injections. It is important to note, without avoidance of allergy triggers, medications to manage symptoms will not work.

All I ever wanted was a free appropriate public education in a safe school environment for the boys. The local school board refused to provide it and the State Dept. of Education refused to compel the local board to provide it. They refused to acknowledge Doctors recommendations. They threatened me with **Truancy** when I requested both 'PPT's and Section 504 school meetings. I had no choice but to place the boys in a private school to protect them from further injury.

My only goal was to receive monetary compensation for the cost incurred to keep my children safe as the doctors told me to do.

Please be informed that I also submitted a 10 page report written by Dr. John Santilli as he requested so it could be entered into the record. This report was scanned, therefore its available online for your review and consideration.

Joanne Avoletta



PLEASE DO THE RIGHT THING REJECT THE CLAIMS COMMISSIONER'S DECISION AND ALLOW ME TO OBTAIN COMPENSATION FOR THE INJURIES TO THE CHILDREN THAT WERE CAUSED BY THE STATES FAILURE TO COMPEL THE DISTRICT TO PROVIDE A SAFE SCHOOL SETTING FOR MY CHILDREN.