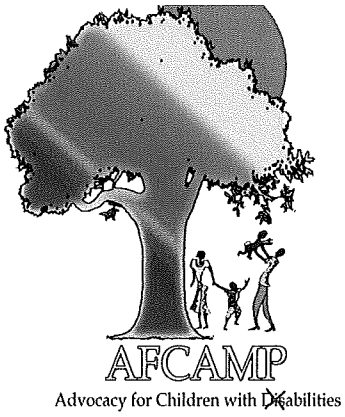

60-B Weston Street Hartford CT, 06120

February 28, 2011

Good Afternoon members of the Education Committee and Chairs Fleischmann and Stillman:

My name is Amy Vatner and I am attorney and legal advocate for African Caribbean American Parents of Children with Disabilities. AFCAMP is a family organization in the state of Connecticut that provides education, advocacy and support to parents raising children with disabilities for the purpose of improving their children's education and quality of life.

I'm here to testify in support of **S.B. 1038 An Act Concerning Individualized Education Programs and H.B. 6432 An Act Closing the Achievement Gap**.

I work hand-in-hand with parents to help their children with special needs to access appropriate services at school. In this regard, I have attended hundreds of Planning and Placement Team meetings as a parent attorney and educational advocate. Lately, parents have told me that their children are being disciplined at school with restraint and seclusion, but the parents are not being notified of such use of physical discipline on their child. This is of paramount concern. Both federal and state regulations mandate that a parent be notified immediately for any and each use of restraint and seclusion.

We also know that our state has an unfortunately high number of uses of emergency restraint and seclusion in school. I have worked with families where their special needs child has been restrained several times a week, for weeks on end, without anyone apparently finding anything wrong with that practice. And these are instances where the mandated forms are sent home, the records are right there in black and white for anyone to see.

When I review such a file, where there is a paper trail of repeated and frequent use of restraint and seclusion on a child, I think to myself, what is happening here? What isn't working? I look to see what is listed on the "reason for use of restraint" on the mandated form. I look to see if a child has received a Functional Behavioral Assessment, if a child has a Behavioral Intervention Plan. Sometimes these assessments and plans are missing. Sometimes they are included in the student's file. Sometimes they are woefully inadequate. Sometimes, they appear, at least on paper, to be thoughtful and researched efforts of an entire education team – as they are meant to be. But in all instances, if a child has been restrained in school repeatedly, for months on end, no matter what the reason or cause, something is not right. We have failed that child. Our schools are not meant to be places of routine physical discipline. That is not part of the American educational idea.

To begin with, repeated use of restraint should be a red flag for anyone involved with a child's education – parent, teacher, administrator, aide – and a Planning and Placement Team (PPT) meeting should be called immediately to address the situation. I work with families where near daily use of seclusion and restraint has been going on for months, and no one has called a PPT meeting. Parents don't even know that there is anything really amiss. They may be upset at such use of physical discipline, but they've either been led to believe that this is the way it is at our public schools, or they simply have not been informed at all.

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