

March 3, 2011

Education Committee
State of Connecticut General Assembly

RE: HB 6501

Dear Education Committee Members:

I am writing to you on behalf of myself, my family and most importantly my son – a child who is in need of special education and related services. I am also writing to you on behalf of all of those other families in the State of Connecticut (and there are many of them) who are similarly situated.

In addition to being the President of the *Connecticut Association of Children and Adults with Learning Disabilities* (CACLD), I am the founder of the 'Association of Parents of Exceptional Children and Siblings' (APECScT)[www.apecscet.org] – both organizations dedicated to providing our families with the support that they deserve in order to get their children the services they need and are entitled to under the law.

The State of Connecticut has adopted a program entitled SRBI – a program designed to provide students with increasingly more intense interventions as needed in the classroom in order to allow them to succeed academically. This effort is to be applauded.

However, it must be kept in mind at all times that this program is one to be run independently of the obligations imposed upon our schools for identifying those children that are eligible and in need of special education and related services.

There are a great number of us who are fearful that the SRBI guidelines are in danger of confusing these issues. It is our concern that the schools will interpret their obligations under the SRBI guidelines to supplant or supersede their 'child find' obligations under federal and State laws. It is our hope that we might be able, by way of clarifying legislation, to make it quite clear to all who become involved in this process that by employing the techniques called for in the SRBI process that the responsibility of identifying children that might be at risk and declaring them eligible to receive special education and related services should not be delayed or sidetracked.

These concerns are not unfounded. In fact the federal Office of Special Education Programs recently found it necessary to publish a Memo directed to all State Departments of Education reminding them the implementation of any RTI

programs (i.e. SRBI type programs) shall not interfere with these obligations as set out in the IDEA (and associated Federal Regs.).

In addition, in its Annual Report of 2010 the State Advisory Council on Special Education (SAC) [in its formal Recommendations] called for oversight to be employed in order to “clearly communicate how SRBI is to interface with special education, specifically relating to students requiring referral special education”. The SAC report was also alarmed to report “that some districts in the state are denying services to special education students in the name of SRBI” (see SAC Annual Report, 2010 at p. 8-9).

Toward that end, I want to express my support for the passage of HB 6501 in spirit. However, it is my firm belief that the language of this Bill should be amended to specifically refer to the SRBI process as one that should not constitute and impediment to the ‘child find’ responsibilities of our school districts. Accordingly, I am requesting that the language of HB 6501 be so amended to reflect these concerns and considerations.

Very Truly Yours,

M. Jeffrey Spahr
Norwalk, Ct.