



STATE OF CONNECTICUT

OFFICE OF PROTECTION AND ADVOCACY FOR
PERSONS WITH DISABILITIES
60B WESTON STREET, HARTFORD, CT 06120-1551

JAMES D. McGAUGHEY
Executive Director

Phone: 1/860-297-4307
Confidential Fax: 1/860-297-4305

March 7, 2011

The Honorable Andrea L. Stillman
The Honorable Andrew M. Fleischmann
Co-Chairs Education Committee
Room 3100
Legislative Office Building
Hartford, CT 06106

Dear Senator Stillman and Representative Fleischmann:

This is to amend and clarify testimony I submitted for the Education Committee Public Hearing earlier today with respect to R.B. No. 1105, An Act Concerning Special Education.

Following the Committee's colloquy with Acting Commissioner Coleman and Special Education Bureau Chief Ann Louise Thompson-Granfield regarding Section 1 of R.B. 1105, I re-read the language in lines 12 – 15 of that Section. It lists psychologists, speech therapists and special education teachers as among those who are "certified" by the State Department of Education, and who would, therefore, presumably be authorized to conduct applied behavioral analyses for students with autism spectrum disorders. The Department explained that the explicit references to those professional categories merely enumerates those whom it already considers potentially qualified to perform applied behavioral analysis, and that the Planning and Placement Teams ultimately judge who is and is not qualified to conduct an evaluation for a particular child. Having heard that explanation I am now concerned that the new language in lines 12 – 15 is capable of being interpreted in a way that runs contrary to the intention of the underlying statute. At a minimum, it will introduce confusion. Accordingly, I would like to amend the testimony I submitted this morning to reflect that our Office does not support the new language proposed in lines 12 -15.

I apologize for my initial misunderstanding of the import of this language, and for whatever inconvenience this change in our testimony may occasion.

Sincerely,

A handwritten signature in cursive script that reads 'James D. McGaughey'.

James D. McGaughey
Executive Director

c. Education Committee Members