Testimony Re: Proposed Bill 5353
"An Act Concerning Individualized Education Programs and Other Issues Relating to Special Education"
Before the Education Committee
March 5, 2012
Submitted by: Michelle Bidwell, parent

Senator Stillman, Representative Fleischmann, Members of the Committee:

Good afternoon. My name is Michelle Bidwell and I am the parent of three children who all receive Special Education in Connecticut. I am unable to attend the Public Hearing regarding proposed Bill 5353 so will submit this written testimony. I have significant concerns regarding the proposed changes to Section (8) and appreciate this opportunity to share them with you.

10-76d (8)(B)

This section proposes to require the LEA to have a designated PPT team member meet with a parent, "upon request of the parent", prior to the "referral" PPT meeting "at which the evaluation of the child who requires or may require special education is presented to the parent for the first time".

My first concern is that the language in this section is incorrect and confusing. The ***Referral*** meeting is the first PPT meeting where the evaluation of a child who requires or may require special education is discussed and planned. The second PPT meeting, after such evaluation has been completed, is called the ***Eligibility*** meeting. The assessments and evaluations conducted for a child who requires or may require special education have not been performed yet, and therefore will not be discussed, at the ***Referral*** PPT meeting. The language in this section needs to be changed for clarity.

This section goes on to specify that the "sole purpose" of the school district meeting with a parent, prior to the PPT meeting where the assessment and evaluation of a child who requires or may require special education is discussed "for the first time", is to <u>discuss the PPT process and any concerns the parent has.</u> This section completely fails to identify that the assessment and evaluation reports will be discussed with the parent at this meeting—in fact, this section seems to specifically exclude that any part of the purpose for this meeting is to inform or clarify for the parent the assessment and evaluation results. It appears that parents will have no opportunity to have the assessment or evaluation results explained to them prior to the PPT meeting where these reports are "discussed for the first time". The language in this section desperately needs to be revised because, as it is currently written, what it will ensure is that parents will not be allowed to be equal participants of the PPT team, they will come into the Eligibility meeting, where these reports are discussed "for the first time" and will have been denied the opportunity to have had school district staff help them understand these findings so they could participate on an equal footing with school staff.

10-76d(8)(G)

This section does specify that, if a parent requests it, the parent will be provided with a copy of the assessment and evaluation report used in the determination of eligibility for special education "at least 3 school days" before the "***Referral***" PPT meeting at which such assessments and evaluations will be "discussed for the first time".

Again, this language needs to be changed because the "***Referral***" PPT meeting is the first PPT meeting at which the assessment and evaluation of a child who requires or may require special education is planned. The second PPT meeting, at which the assessment and evaluation reports are discussed, is the ***Eligibility*** PPT meeting.

It's good that this section requires that the assessment and evaluation reports will be provided to the parent prior to it being discussed at an Eligibility PPT meeting but this section severely restricts when parents must be provided with these reports. School districts will only be required to provide these reports to parents who know enough to request them. And they will only be required to provide these reports prior to the Eligibility PPT meeting, not prior to any other PPT meeting held for any other purpose than to determine eligibility. Children who require special education are found eligible through evaluation for special education and then they are re-evaluated every three years to determine their continued eligibility for special education. It appears that this section specifically limits that school districts are only required to provide assessment and evaluation reports to parents once every three years, prior to evaluation or re-evaluation to determine eligibility, and only to parents who know to request them. Surely, this cannot be the intent of this section? School districts conduct assessments and evaluations for many reasons prior to many PPT meetings for children who require special education after eligibility has already been determined. It does not make any sense to deny parents access to the reports of these assessments and evaluations solely because these assessments and evaluations are not being conducted to determine eligibility.

Also, nowhere in this section does it indicate that any school district staff member will be available on request, or is required to offer, to meet with a parent prior to the PPT meeting where these assessments and evaluations "will be discussed for the first time" to review these assessments and evaluations. Previously, in Section (8)(B), it specifically states that the purpose of any meeting prior to the Eligibility PPT meeting is for the "sole purpose" of explaining the special education process and any concerns of the parent. Since Section (8)(B) states what the sole purpose of any meeting prior to the PPT meeting is for and this section is silent on there being any meeting at all, it can only be presumed that parents will have no opportunity prior to the Eligibility PPT meeting to be provided with any explanation of these assessment and evaluation reports as school staff has no obligation to ever meet to discuss these reports prior to the PPT meeting. This will put parents at a huge disadvantage and will deny parents the opportunity to come to the PPT table as equal participants in the IEP process.

Summary:

I have significant concerns about the language and intent of these two sections and would strongly urge you to consider changes. The language used is incorrect and confusing. While the intent appears to be to allow parents copies of evaluation reports prior to eligibility PPT meetings, the wording effectively denies parents the opportunity to have school staff assistance to understand these reports.

While it's nice that school district staff will be required to meet, at parents request, to discuss the special education process and parent concerns, nowhere does it require that school district staff will ever be required to meet to discuss and explain the assessment and evaluation reports to ensure that parents understand the meaning of these reports prior to the PPT meeting. It is also very concerning that this proposed revision appears to require that school districts only provide parents copies of assessments and evaluations prior to the initial eligibility PPT meeting and only once every three years thereafter, prior to each triennial re-evaluation performed to determine continued eligibility. It is also concerning that only parents who know enough to request copies of these assessments and evaluation reports will be provided with them—will school districts be required to prepare all reports to ensure they are ready three school days prior to the PPT meeting <u>just in case</u> parents request them? Or will they assume that most parents won't know to ask so they will not have these reports prepared three days prior to the PPT meeting (and then if the parent does request, the evaluator will have to scrabble to get the reports ready)? I don't see how this could possibly work. It must be assumed that ALL parents require a copy of All assessment and evaluation reports, along with an opportunity to have these reports explained to them, prior to the PPT meeting at which these reports will be discussed, in order to be informed and equal participants in the IEP process as required by the IDEA.

I strongly urge you to reconsider these sections, both the language and the intent. It is critical that all efforts be made to include, inform, and educate parents so they can be effective and equal participants on the IEP team as is required by the IDEA. To deny parents' access to information that school staff has, and to limit parents ability to gain understanding of this information, will only serve to exclude parents and deny them meaningful participation in the IEP process.

Thank you for your time and for the opportunity to share my concerns.

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