

**TO: Education Committee of the Connecticut General Assembly**  
**FROM: Atty. Dennis O'Brien, 120 Bolivia Street, Willimantic, CT 06226**  
**RE: HB #5573: An Act Concerning the Disproportionate and Inappropriate Identification of English Language Learner Students as Requiring Special Education: Hearing on 2/15/13 @ 11 a.m.**  
**DATE: February 15, 2013**

I live in the Willimantic section of the Town of Windham. In January of 2011, I retired after twelve years as Judge of Probate for the District of Windham. For the last four of those years, I was the first administrative judge of the Northeast Regional Children's Probate Court, covering all of Windham County plus Mansfield, Andover, Columbia, Hebron and Coventry.

Previously, for 23 years, I was a staff attorney and then deputy director and director of litigation of Connecticut Legal Services, the statewide legal aid program. For most of my more than forty years in the practice of law I have worked with low income families with children in the urban centers of our state, including the Town of Windham.

There are tens of thousands of inner city children in our state who are having an early childhood experience which is robbing them of their futures and seriously impacting the economic fortunes of our entire state by severely limiting our labor force, and incarcerating way too many people at our great expense, not to mention theirs.

The work I have done in the low income communities of our state has left me with no doubt that the main reason our wealthy state has the largest achievement gap in America is the gross overconcentration of the poor in our urban centers.

Here in Windham, our already difficult educational mission is made even more problematic by the disproportionate and inappropriate identification of English language learner students as requiring special education due to reading deficiencies. Our Windham School District has a larger percentage of students whose heritage language is not English

than any other school district in Connecticut. We have a large contingency of students here who are underperforming largely because they do not have the English language proficiency that appropriate ELL instruction rather than Special Education Services is designed to provide.

For all of the foregoing reasons I urge you to support **House Bill No. 5573**, which would amend Title 10 of the Connecticut General Statutes to better ensure an end to the abhorrent practice of resorting to special education services for students who do not need such assistance yet truly need English language learning

As a strong aside, it is my understanding that the Town of Windham has promoted the submission of House Bill No. 6181, **AN ACT CONCERNING THE ESTABLISHMENT OF SPECIAL REGIONAL SCHOOL DISTRICTS** for your consideration. As suggested above, our State cannot continue to concentrate hundreds and thousands of poor kids in the same schools and expect them to succeed in school.

Connecticut does not need 169 plus school districts. We cannot socio-economically or racially integrate our schools without reducing the number of school districts. The school population of Windham is overwhelmingly lower income kids and becoming more so all the time. Schools in our surrounding towns are socio-economically middle class. This school segregation has apparently doomed tens of thousands of children statewide to failure in school and in life, and to early teen parenting, poverty, prison, and death at an early age in way too many instances.

I commend Governor Malloy and Commissioner Pryor for their sophisticated yet indirect approaches to address this problem which has been ignored for decades, but it is not nearly enough. Bill #6181 would require the pilot program expansion of the

Educational Resource Group I school districts of New Britain, Waterbury, New Haven, Bridgeport, New London and Windham to the contiguous suburban ring of each of these urban center towns. If enacted, it would do much more than any other initiative except for maybe tripling the ECS grants to these six ERG I districts to appreciably close the achievement gap.

With all due respect I strongly urge the Committee to schedule a public hearing on **An Act Concerning the Establishment of Special Regional School Districts, House Bill No. 6181.**

It would also be a good idea to have a statewide salary scale for teachers, with a differential for higher cost of living areas like lower Fairfield County. Because poorer inner city districts like Windham cannot afford to pay salaries nearly as high as teachers in suburban districts receive, our problems are compounded by the revolving door departure of many capable and experienced teachers to nearby places where they receive much more compensation and children may be easier to teach. Thank you for your attention to my remarks.