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TESTIMONY OF CARRIE BERMAN
IN SUPPORT OF SB 842, AN ACT CONCERNING FOSTER CHILDREN AND
THE DESIGNATION OF SURROGATE PARENTS AND HB 5658, AN ACT
CONCERNING EDUCATIONAL SURROGATES, THE JUVENILE JUSTICE
SYSTEM AND CHILDREN REQUIRING SPECIAL EDUCATION

Committee on Children
February 17, 2015

Submitted by Carrie Berman

Senator Bartolomeo, Representative Urban, Distinguished Members of the
Committee on Children:

I submit this testimony **in support of SB 842 and HB 5658.**

My name is Carrie Berman and I work as a “surrogate parent” for children in DCF custody. I represent children who have been identified as special education students or there is reason to believe that they might be eligible. My role is to help my clients access the services to which they are entitled, so that they receive an appropriate special education program, as guaranteed by the law.

I currently represent 26 students and the majority of my clients attend schools within the greater Hartford area. They have a variety of disabilities, although the majority of them have complex emotional, behavioral and learning challenges. I have worked with over 70 children between the ages of 3 through 21, with the majority of teenagers having had some type of involvement with the juvenile justice system, either serving probation or having spent time in detention. Their education is often disrupted by frequent changes in residential placements, foster homes, hospitalizations, schools and detention.

Like my fellow surrogates, I am able to make a difference in the educational programs for these students by getting those identified who qualify, locating educational records that have been missing from school files, acquiring additional high quality testing often outside the school system, increasing the overall quality of services that are provided in the schools, arranging therapeutic out-of district placements for children when necessary, pushing schools to implement multi-sensory research based reading instruction, and preventing inappropriate suspensions and expulsions. This can be accomplished by working collaboratively with the school administration or through the state's due process/complaint system, when necessary. In fact, all children eligible for special education services would benefit from this type of specialized support.

I will share two examples of current clients to illustrate how surrogates can positively impact a child's education.

Student #1

This teen lives in a temporary placement, attends the local school and participates in all ELL classes. His school records from his country of origin are not available and limited data exists on his academic functioning other than grades from his current classes, which are modified due to his limited English proficiency. Although he is passing his classes, his grades are based on his attendance, he is reading at the a kindergarten level, has trouble paying attention, gets frustrated easily, has difficulty comprehending the most basic English, and has not made measurable progress with his English skills.

His school was that aware that his IQ was reported to be a 53, but his ELL case manager didn't make a special education referral because she believed that he was better off in the ELL classes where he would get more attention than receiving special education services. His low IQ score should have been an indicator that the student needed to be properly evaluated by the school system. I was able to acquire the court ordered psychological evaluation, which confirmed the borderline IQ score, possible speech-

language impairments, trauma and other emotional issues. A special education referral was made immediately.

In moving forward, the school system will arrange for a comprehensive psycho-educational evaluation in both English and the student's native language. I've also requested that they seek consultation with experts in the field of bilingual education and assessment since the team was confused about how to evaluate. I fully expect that my client will be identified with a disability and entitled to services, including specialized academic instruction and transition services to plan for his postsecondary needs. I am hopeful that this young man, through supports from DCF and an appropriate educational program, will graduate and discontinue his involvement with the juvenile justice system.

Student #2

Within the first six-weeks of seventh grade, this student was suspended numerous times and an attempt was made to expel him. Two months prior to enrolling at his neighborhood school, my client was mysteriously exited from special education while attending a therapeutic day school as a student with an Emotional Disturbance (ED). He began his seventh grade year without an IEP, or 504 plan, and the school did not have his educational records or any knowledge of his extensive behavioral and emotional history, which included a hospitalization, ADHD, depression, anxiety, suicide attempt, juvenile justice and DCF involvement.

I was assigned to this child three days before his expulsion hearing, and I was able to prevent him from being expelled, personally track down his school records from the previous school, help get him re-identified as a student with ED, and ultimately got him out-placed to another clinical day school where his behavioral, emotional and educational needs could appropriately be met. He did spend four months at CJTC due to his behaviors outside the school. However, I was able to monitor his academic program, stay involved in his triennial planning and evaluation, and support the return to his school when he was discharged. This past summer I was able to facilitate a carefully planned transition from his therapeutic school to a magnet high school.

Despite a transition PPT a month before school was to begin, his school system was unable provide the most basic special education service to this student, which was to send out his special education file on time before school started, to be reviewed by his new teachers. Fortunately I was able to provide the school with his records, including IEPs and evaluations, along with an anecdotal history and my concerns for his transition back to public school. My student eventually adjusted academically to his new school, but unfortunately had difficulty with his family placement and he just spent six weeks back at CJTC for non-school related incidents.

He will be returning back to the magnet school this week. I was able to arrange his return to this school with some legal assistance. Apparently children in CREC schools, who leave to serve detention, are not allowed to return to their CREC school placement. While in detention, I encouraged this student to keep up with his schoolwork and access the school's curriculum, although this is not required. This young man has the potential to graduate from high school and attend college if his family and legal issues can be resolved. Meanwhile I'll continue to make sure that his educational needs are being met.

I urge you to allow the parents of juvenile-justice involved youth with special education needs to have access to assistance in navigating the complexities of the special education system. This is a challenging process for a family who cannot afford a special education attorney, advocate, or private educational consultant. Involvement in the juvenile justice system just adds another layer of complication on top of a tricky special educational system.

The SDE's parent surrogates are already trained in special education advocacy and many have already established working relationships with the special education directors of school systems. The surrogates have relationships with the students personally, are not accountable to the school districts and they are concerned only for the child's best interest and their unique educational needs.

Please support the amendment of SB 842 and HB 5658.

Respectfully submitted,

Carrie Berman

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