

Raised H.B. No. 5552
Session Year 2016

AN ACT CONCERNING SPECIAL EDUCATION.

To whom it may concern,

To require parties to participate in an adjudication conducted by an impartial third-party adjudicator before conducting a special education hearing. There are many flaws in this bill that will make it harder for parents to exercise their due process rights. This timeline would expand to include a prehearing adjudication, hearing, and appeal. This process would not allow for parents layman knowledge of the law to create fair and responsible response to the school system.

This bill adds an additional step to due process but does not delineate a time frame for conducting this. The bill does not delineate what kind of training or experience adjudicators will have about special education, the due process, special education laws, or learning exceptionalities.

The bill limits the time that evidence can be presented to 2 days. This may be problematic, particularly if school districts uses most of the time. The bill would not make the adjudicators verdict part of the public record, but also allows a hearing officer to consider their verdict as if it was testimony.

This is would also cause a delay in services as the process adds in additional steps and time required to go through additional steps as, “; the child or pupil may not be evaluated or placed pending the disposition of the appeal”.

Please do not pass this bill without further thoughts on how it will affect families.

Sharri Lungarini

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