

March 6, 2016

## **Testimony in Opposition to Raised Bill 5552: An Act Concerning Special Education**

Dear Senator Slossberg, Representative Fleischmann and Members of the Education Committee,

I am writing in opposition to raised bill 5552. This bill would add another mandatory step in what is already a multi-step progression toward a due process hearing. There are several problems with in this bill which will make it harder for parents to exercise their due process rights and adds to the expense of due process.

**Perhaps most importantly, this additional due process step would be in violation of federal law inviting litigation and uncertainty.**

This mandatory additional step will prolong the time it takes to get to a hearing, and no time limit to complete this process is delineated, nor is there an indication of where in the already complicated process this additional step is to occur.

The bill states that adjudicators “shall have significant experience and expertise in the fields and areas significant to the review of the special educational needs of the child or pupil,” but does not clearly delineate the requirements one would need to meet to fill this role.

The bill limits the time that evidence can be presented to 2 days. This may create an uneven playing field, particularly if one side uses most of the time.

The bill would not immediately make the adjudicators verdict part of the public record, but allows a hearing officer to consider their verdict as if it was testimony, and ultimately has the adjudicator’s verdict become part of the public record.

Please vote “no” to this bill.

Yours truly,

Suzanne Letso, M.A., BCBA  
MA State Licensed Behavior Analyst  
NY State Licensed Behavior Analyst  
Resident of Newtown and parent of a son with autism