

**Raised H.B. No. 7252** AN ACT ESTABLISHING AN ADJUDICATION PROCESS FOR SPECIAL EDUCATION AND THE RIGHT OF PARENTS TO OBSERVE THEIR CHILD AT SCHOOL.

Testimony From:  
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Former Committee Member *CT's System of General Supervision and Focus Monitoring* 2004-2012

Dear Education Committee:

This is my written testimony. I will not be testifying at the hearing regarding this Bill. I am in favor of this Bill and encourage you to pass the proposed additions therein.

I would like to speak mainly to section 2 of this statute: "Sec. 2. (NEW) (*Effective July 1, 2017*) (a) For the school year commencing July 1, 2018, and each school year thereafter, the parent or guardian of a child enrolled in a public school under the jurisdiction of a local or regional board of education shall have the right to observe his or her child at the school in which such child is enrolled during the regular school day, in accordance with the parental observation guidelines adopted by the State Board of Education pursuant to subsection (b) of this section." And the addition proposed: "(C) of this subdivision, [and \(III\) observe such child at the school in which such child is enrolled during the regular school day, in accordance with the provisions of section 2 of this act,](#)"

Parents absolutely need to be able to observe their children in the school environment. When a district doesn't want to let parents observe their children in school (within reason) this appears as a huge red flag that something is wrong. There is no reasonable reason why parents should not be able to observe their children in the school environment in which they are attending. This is especially important as parents are to be considered part of the team and process for determining appropriate services. Under federal laws under IDEA parents are part of the team. If you cut them off from seeing how their children function in their learning environment you compromise the partnership defined under federal law. The federal courts do give some leeway as to how states implement the laws. However, NOT passing this law and allowing districts to shut down parent and outside professional observations would essentially amount to twisting the spirit of federal law in ways it wasn't supposed to be twisted.

How a district can block an observation and still consider parents part of the process makes no sense. This also holds true for parents who want an independent observation by an outside professional. Allowing parents and others to observe is a practice that should be a natural part of the process of determining appropriate programming. By not allowing an observation you essentially sabotage the SPED process from working properly under federal laws. Without the ability to observe the only people allowed to see how the child functions in the environment is the school staff. This is completely one sided and is ripe for abuse if not stipulated by law. It's sad that we need a law that would allow and assure observations. I believe if not passed and parents are refused observations this will ultimately be challenged in the courts. I do not believe the district refusing an observation will win this one in the courts because it sets up a situation that is not reasonable.

This isn't just a matter of giving access to parents that may have a dispute but this can actually help districts show parents that they are providing an appropriate education. If you don't pass this law and allow observations to be blocked you will likely create a situation that will negatively impact districts in the long run. This has not been tested in the federal courts to my knowledge when and if it is my prediction is that the federal courts would decide on the side of allowing observations. Be smart and vote yes because I am concerned that to not vote yes will create abuse and more problems than solutions for districts and students.

I have been involved in the SPED system for fifteen years and I have never had a problem observing my child in school. No parent should be shut out from observing their child. This practice doesn't make sense given the spirit of federal law under IDEA. Vote yes on this Raised Bill because it makes sense and is already common practice in districts that are functioning properly.

Thanks for your consideration.

Sincerely,

Joanna Cooper