

PA12-173**HB5353**

Education	1705, 1712-1713, 1715, 1793, 1795-1801, 1920- 1931, 2068-2069, 2176- 2177, 2269-2286, 2343- 2345, 2366	50
House	4232-4294	63
<u>Senate</u>	<u>4284-4285, 4497-4499</u>	<u>5</u>

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2012**

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Will the Clerk please call Calendar Number 150.

THE CLERK:

On page 42, Calendar 150, Substitute for House Bill Number 5353, AN ACT CONCERNING INDIVIDUALIZED EDUCATION PROGRAMS AND OTHER ISSUES RELATING TO SPECIAL EDUCATION, a favorable report on the Committee of Appropriations.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Cook, you have the floor, ma'am.

REP. COOK (65th):

Good afternoon, Madam Speaker. It's nice to see you there today.

DEPUTY SPEAKER KIRKLEY-BEY:

Good afternoon.

REP. COOK (65th):

Madam Speaker, I move acceptance of the joint committees' favorable report and passage of the bill.

DEPUTY SPEAKER KIRKLEY-BEY:

The motion before us is acceptance of the joint committees' favorable report and passage of the bill.

Will you remark further?

REP. COOK (65th):

Madam Speaker, this bill gives -- it's AN ACT CONCERNING INDIVIDUALIZED EDUCATIONAL PROGRAMS AND

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ISSUES RELATING TO SPECIAL EDUCATION makes various changes as well as has the Deaf Child Bill of Rights and I urge passage.

DEPUTY SPEAKER KIRKLEY-BEY:

Will you remark? Will you remark further on the bill that is before us? Will you remark further on the bill that is before us?

If not, staff and guests -- you're not on the board. All right. You just lit up.

Representative Giuliano, you have the floor, ma'am.

REP. GIULIANO (23rd):

Thank you, Madam Speaker.

Through you, some questions to the proponent of the bill.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Cook, prepare yourself.

Representative Giuliano, please proceed.

REP. GIULIANO (23rd):

Thank you, Madam Speaker.

In looking at the bill, I'd like to focus on line 60. It's speaks to the school team meeting with the parent in advance of the formal review of evaluations in order to talk about evaluative results.

Through you, Madam Speaker, are these results to be presented at that moment orally or in writing?

Through you.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Cook.

REP. COOK (65th):

Through you, Madam Speaker, to the good representative.

Could she please clarify the line of which you're referring?

REP. GIULIANO (23rd):

This is line 61 -- and if I might quote beginning on line 59, "upon request by a parent, guardian, pupil or surrogate parent, the responsible local or regional board of education shall provide the results of the assessments and evaluations used in the determination of eligibility." Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Cook.

REP. COOK (65th):

Through you, Madam Speaker, to the good representative. If we are referring to the initial meeting solely for the purpose of discussing the conversation of how a placement takes, that is not in

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writing. If we are discussing the conversation of the IEP, as we -- as we all know it to be, during the PPT, that is in writing. Through you, madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Giuliano.

REP. GIULIANO (23rd):

Thank you, Madam Speaker

If we were to continue reading on, it would say that the results of the assessments and evaluations used in the determination of eligibility to be shared with the parent or guardian at least three school days before the meeting."

My concern, through you, Madam Speaker, is the transmission of results and whether or not this relates to the PPT process. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Cook.

REP. COOK (65th):

Through you, Madam Speaker, the information now due to federal and state statute states that they have to be notified of the information prior to a PPT meeting. So that information would be from the school board to the parent or legal guardian in writing prior

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to the meeting. And I'm not sure if that answers the good representative's question. Through you.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Giuliano.

REP. GIULIANO (23rd):

Thank you, Madam Speaker.

I think the sticking point here is a transmission of results. And although the reports are to be provided three days in advance of the PPT, the planning and placement team meeting that makes the final determination of eligibility and plans a program for a child, my concern is in -- in providing these results, would it constitute an inappropriate meeting to offer these, and yet, simply share with the parents their rights and prerogatives, under both federal and state statute, as opposed to the -- to the wording here, which says shall provide results of the assessments. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Cook.

REP. COOK (65th):

Through you, Madam Speaker, the -- the initial meeting of which we had -- had a conversation through the IEP task force that had net for several months was

the sole purpose of simply discussing how the process works.

By getting the information three days ahead of time that information is simply to prepare a parent or legal guardian to be able to go into this meeting educated and prepared as to the conversations that they will have to discuss about the child in that meeting going forward. And if you've ever sat through a PPT -- and I know that the good representative has -- that that information is discussed around a table and then there can be alterations to that information during that PPT process and then another document is sent home afterwards within five days, through you, madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Giuliano.

REP. GIULIANO (23rd):

Thank you, Madam Speaker.

That really does speak to my concern. It is very difficult when you're trying to apprise the parent of their rightful informed consent. An informed consent really should be a prelude, which happens to advance of the very first planning and placement team meeting.

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The reference in line 61 of the bill would reference the second planning and placement team meeting, one that would share results. And if a member of the pupil personnel services or any member of a planning and placement team were to go beyond simply informed consent and foreshadow some results, that would constitute a pre-PPT meeting, which could be construed, after the fact, at a point of legal contention between the parent and the school district in -- in -- in a way that -- that would be construed to be inappropriate, I believe, Madam Speaker. And that is really my concern.

The issue of informed consent is one, again, that should be a foreshadowing and a prelude prior to or during at which time of the first planning and placement team meeting not the subsequent one when you're wrapping up the process.

Through you, Madam Speaker, is it -- is it the intent then that the results that are referenced, in line 61, could possibly be related to the first PPT? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Cook.

REP. COOK (65th):

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Through you, Madam Speaker, if the good representative is referring to the initial informational meeting, then no those results -- you're not discussing results. But there are obviously prior PPT's that if this is an ongoing case from a child that has an IEP. And then, if not, then, no, we're talking about no results. It's solely that first initial meeting would solely be in the purpose of explaining how the process works; and then going forward, you would have a formal PPT meeting that would discuss the grades, the evaluation and the likes of the student in question. Through you, madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Giuliano.

REP. GIULIANO (23rd):

Thank you, Madam Speaker.

I -- I understand the Representative's intent in this. I do have a reservation that, perhaps, line 61 may not be as clear as possible, but I appreciate the proponent's explanation of this.

If I -- if I might move to line 540, there is a section, through you, Madam Speaker, that speaks to an individualized educational program for children who are identified as deaf or hearing impaired. And if we

go on in that section, section 11, we are including what would be called a language and communication plan.

And through you, Madam Speaker, a concern of mine is the development of a mandate under one of the federal categories of exceptionality, that being hearing impaired.

Through you, Madam Speaker, would we -- would the proponent of this section construe this to be a mandate, as well? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Cook.

REP. COOK (65th):

Through you, Madam Speaker, I believe what we've done with the -- the Deaf Child Bill of Rights is simply gone through and included them into the process of the PPTs and the IEPs. So it would -- they would go under the same federal and state guidelines that is already in statute. So if the good representative is considering that a mandate then under her definition, possibly if that's the word we're going to use. What we've simply just done is added another class to include into the IEP and PPT process. Through you, Madam Speaker.

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DEPUTY SPEAKER KIRKLEY-BEY:

Representative Giuliano.

REP. GIULIANO (23rd):

Thank you, Madam Speaker.

And through you, I'm just trying to clarify.

It seems that there is a high level of technical specificity in saying that under the federal exceptionality of deaf or hearing impaired that we now are prescribing that there must be a communication plan.

For example, if we were to have a child with an attention deficit disorder and we were to -- a planning and placement team meeting were to construe that to be the category of, say, other health impairment. Would we then wish to develop a mandate an ADD bill of rights for children in a -- in a similar manner? Or under the federal exceptionality of, let's say, orthopedic impairment, would we be then be moving forward to develop a mobility plan? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Cook.

REP. COOK (65th):

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Through you, Madam Speaker to the good representative, I cannot speak for what would come to the future at this point.

I can speak to the fact that the reason why we have a Deaf Child Bill of Rights and we've included into this piece of legislation is because they do fall into the category of a special education, and it is a language impairment for those students that have that disability. So we do already include in an IEP or special ed labeling if you will, ADHD, ADD and the likes. And those are already a labeled on the IEP and in the PPT process. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Giuliano.

REP. GIULIANO (23rd):

Thank you, Madam Speaker.

And I would submit to you that this seems to be taking our accepted both federal and state categories of exceptionality of which there are a finite number - - intellectual disability, hearing impairment, speech language impairment, orthopedic impairment -- and simply moving beyond them to create certain mandates of plans, which, in a sense is a contradiction given that the exceptionalities, the categories of

exceptionalities are applied to -- for the development of an individualized educational program.

Madam Speaker, through you, I'd like to thank the proponent of the bill for her responses. I still do have some concerns in terms of creating specific carve-outs as this appears to attempt to do when, in fact, the federal and state protections currently are in place.

Thank you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you.

I would like you to know I was not ignoring your light here was not on when I asked. I didn't see your name you didn't push the button for your mic so I didn't see your name.

Okay. Thank you.

Representative LeGeyt, you have the floor, sir.

REP. LEGEYT (17th):

Thank you, Madam Speaker.

And I rise to make a comment about this bill and, perhaps, ask a couple of questions of the proponent.

An IEP -- the IEP process is a -- a very legalistic and well-observed process in public schools, and, as such, it is subject to various

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criteria of law and procedure and that's how it should be because both parents and school systems need to have levels of expectation and protection when it comes to meetings of this sort.

I know my own experience in education, being at IEP meetings, PPT meetings and recognizing that parents many times come to these occasions in -- in a bit of a disadvantage because they don't realize the opportunities that they have to push for testing. They many times feel that they are outmanned by the professionals that are present. And so this bill is trying to help that process along.

As part of what this bill wants to do in lines 14 through 25, it establishes that upon the request of a parent, the board of education or the school will provide an opportunity to meet prior to the referral planning and placement team meeting. And then it says that such meeting shall be for the sole purpose of discussing the planning and placement team process and any concerns.

If I might, a couple of questions to the proponent of the bill.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Wood, stand ready.

Representative LeGeyt, please (inaudible).

REP. LEGEYT (17th):

Thank you, Madam Speaker.

Certainly, this is a meeting that occurs prior to the formal PPT meeting. And as such, by the wording that's in this paragraph here would not have to comply with some of the reporting duties and some of the attendance requirements that the formal meeting of the planning and placement team would require.

At a meeting such as this, through you, Madam Speaker, would there be an expectation that the parent and the member of the placement team that's designated to meet with them, would there be an opportunity to talk about how the formal PPT meeting, when it occurs, some days hence, would go and to give some information about who's going to speak and who's going to have the responsibility of bringing out the concerns and -- and running the meeting, and so forth, things like that related to the planning and placement team process. Through you.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Cook.

REP. COOK (65th):

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Through you, Madam Speaker to the good representative, yes. That's -- that meeting clearly states and in lines 22, for the sole purpose of discussing the planning and placement team process and the concerns of the parents.

And what that means through all of the discussion, through the IEP task force that had taken place, it's -- people are very confused as to how this process works and it's extremely overwhelming. And so that -- that initial pre-meeting would be for the sole purpose as to what the process entails and what that parent or legal guardian is to expect as to the process moves forward. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative LeGeyt,

REP. LEGEYT (17th):

Thank you for that answer.

I might be inclined to read it that way, but I have a concern with the language in lines 23 through 25 because it states that the meeting will also have as -- as its sole purpose discussion of any concerns that the parent may have regarding the child that is going to be the focus of the PPT meeting when it occurs some days hence.

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So we have a situation here where there's an opportunity outside of the formal PPT process, for one member of the PPT team and the parents to actually engage in some discussion about concerns that the parent may have regarding the child. And I would ask the good representative if she understands the language to be charged that way.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Cook.

REP. COOK (65th):

Through you, Madam Speaker, no. I do not interpret or read the language to be that way. As we had gone through this process, as I had stated through the task force and -- and in several meetings with professionals, far greater than I, have sat down and suggested that this language be exactly that. For the sole purpose of discussing how the process works and how it might relate to the child as far as what you discuss, whether it might be do you discuss grades, do you discuss behavior, or do you discuss performance. But nowhere does is it -- do I interpret or read this language to state that we're discussing that in-depth information that the good representative is referring

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to as the PPT process goes forward. Through you,
Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative LeGeyt.

REP. LEGEYT (17th):

I can understand why someone would construe it that way but my feeling is that the language on its face does set up the opportunity for that one member of the PPT team to have discussions with the parent outside the formal nature of the PPT process regarding their child and concerns that they have that would justify the meeting that's expected to occur. And in any -- in any of those contexts, I think that the inclusion of this language here crosses a line that we don't want to cross, such that, there's going to be discussion outside the formal PPT process about those vary things that should only be part of the formal process and the documentation that that requires and the attendance requirements, and so on.

And I'm very concerned that this language, lines 23 through 25, are going to open up a window of liability for the school district. And therefore, Madam Speaker, the Clerk has an amendment. It is LCO

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Number 3873. I ask that the Clerk call it, and I be allowed to summarize.

DEPUTY SPEAKER KIRKLEY-BEY:

Will the Clerk, please call LCO 3873, designated House Schedule "A."

THE CLERK:

LCO 3873, House "A" offered by Representatives LeGeyt and Guiliano.

DEPUTY SPEAKER KIRKLEY-BEY:

The Representative has asked leave to summarize.

Is there any objection? Is there any objection?

Seeing none, please proceed, sir.

REP. LEGEYT (17th):

Thank you, Madam Chair -- Madam Speaker.

This amendment would strike the language in lines 23 through 25 that involve the opportunity for any discussion of concerns that the parent may have about their child to be excluded from this bill. And the sentence would end after the word "process" on line 23.

I'd like to move that amendment, and ask that when the vote is taken it be taken by roll.

DEPUTY SPEAKER KIRKLEY-BEY:

You haven't moved adoption, sir. Have you?

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REP. LEGEYT (17th):

I would move to adopt the amendment and --

DEPUTY SPEAKER KIRKLEY-BEY:

All right.

REP. LEGEYT (17th):

-- and ask that the vote be taken by roll.

DEPUTY SPEAKER KIRKLEY-BEY:

All those in favor of the amendment please
indicate by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER KIRKLEY-BEY:

Opposed --

A VOICE:

No, no, no.

DEPUTY SPEAKER KIRKLEY-BEY:

I have to do the roll --

A VOICE:

(Inaudible.)

DEPUTY SPEAKER KIRKLEY-BEY:

All those in favor of a roll call vote please
indicate by saying aye.

REPRESENTATIVES:

Aye.

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DEPUTY SPEAKER KIRKLEY-BEY:

The 20 percent has been met, it will be taken by roll.

All those in favor of the amendment, please -

A VOICE:

(Inaudible.)

DEPUTY SPEAKER KIRKLEY-BEY:

Will you remark further on the amendment that is before us? Will you remark further?

Representative Hovey, you have the floor, ma'am.

REP. HOVEY (112th):

Thank you, Madam Speaker.

I rise in support of this amendment.

When I look at this -- this specific part of the bill, I understand what my Ranking Member is -- her points and also the good gentleman from this side of the aisle.

One of things for those of us who work in the field of exceptionality special education that we're constantly battling is walking the line between assuring that families have all of the information that they need to make good decisions about the education for their children and also all of the parameters of the Public Law 94-142. It's a very,

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very complex, difficult, frustrating, and in many ways often the family feel that they're at a distinct disadvantage.

But the other side of that phenomena is that we also need to be very careful that we're not introducing legislation that would put our public systems at risk for more litigation than they already are. And anyone who is involved in this arena of education recognizes how litigious it really is and how difficult it is.

So I would urge that the body support this amendment.

Thank you, ma'am.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you.

Representative LeGeyt, do you have something to say regarding this amendment?

Would you please proceed, sir.

REP. LEGEYT (17th):

Thank you, Madam Speaker.

This amendment is not going to deny parents the opportunity to discuss the concerns they have about their child. It simply puts that discussion forward into the formal EPT process and does not leave it

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isolated at this preliminary meeting where their concerns will not be heard by the whole PPT, may not be heard by the member of the PPT who's in the meeting with them and, as a result, could frustrate the purposes of these parents and the PPT process by ignoring or not being able to include discussion that occurred outside the process at this preliminary meeting.

It, also, I believe, closes a significant loophole of liability that could occur on the part of the school district, if, in fact, very substantive discussions occur at this preliminary meeting about the concerns the parent has regarding their child. And at the formal PPT, those concerns are not addressed, brought up, discussed at some subsequent time when perhaps parents would choose to claim against the school system for actions or intentions that weren't, as they thought they should be. Information and evidence from this preliminary meeting could be brought into the discussion and the -- and the claim process and frustrate the good workings of the PPT process and also set up some liability for the school system.

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So I --I'm not asking that this option to discuss the concerns of the child be denied. I'm just suggesting that it should occur at the proper time, which is in the formal PPT meeting.

Thank you, Madam Chairman.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Lavielle, you have the floor, ma'am.

REP. LAVIELLE (143rd):

Madam Speaker, thank you.

I rise in strong support of this amendment. I believe that knowing -- I've -- I've served for several years on the board of finance in my town. I'm well aware of the constraints that our board of education and our public school system operate under when you are in a legal context as highly charged as a PPT and the special education of a child.

Connecticut offers a particularly constraining legal context for our public schools, and I believe that this amendment without in any way diminishing the strength and the good intentions and the purpose of the underlying bill -- and that's important. I don't think it does that in any way -- this amendment very precisely defines what is a PPT and what isn't. And

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what can happen in one and what can't. And therefore, should litigation arise at some stage, it is very clear what took place in the context of the PPT and what didn't. And I know how costly these processes can be, sometimes in the hundreds of thousands of dollars. And I know how large the contingency reserve funds for -- that are -- that are kept by the schools systems have to be, and I really can't see how in -- in any way an amendment, like this, can be harmful to the process, and I see many ways in which it can be helpful. And I would, therefore, while supporting the bill, also suggest the Chamber support the amendment, which I support very strongly myself.

Thank you so much.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Cook, you have the floor, ma'am.

REP. COOK (65th):

Thank you, Madam Speaker.

Although I do understand the good representative's intentions behind this amendment, I strongly encourage my colleagues to -- to not support this amendment, due to the legal parameters of this. This change, in removing of the four lines in this piece legislation, completely weakens the intent of

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having a pre-meeting for the sole purpose of explaining how the PPT process works.

And so the intentions of the task force was to -- to give the opportunity for a parent or a legal guardian to just sit down and have somebody explain the process. And that's what this meeting is intended for. This has nothing to do with the PPT process going forward. It has nothing to do with the meetings of which we're discussing tests and performance or any of that. This is just about how the process works.

So, as we are voting, I encourage my colleagues to not support this amendment for the sole purpose of it will harm this piece of legislation.

Thank you, Madam Chair.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Fleischmann, you have the floor, sir.

REP. FLEISCHMANN (18th):

Thank you, Madam Speaker.

I rise briefly in opposition to the amendment before us. I'd like to observe that this bill is before this chamber because we've had many, many families who've come to us and who have said that the entire process of dealing with special ed comes at

them very quickly with too little explanation beforehand. And Representative Cook and Senator Stillman and others have put countless hours into drawing up a piece of legislation that allows for this early meeting for explanation of the process and for responses to concerns.

I've heard advocates for this amendment say that it doesn't in any way diminish the underlying bill.

On the contrary, if this amendment were to pass this initial meeting would be for the sole purpose of discussing the planning and placement team process, period. In other words, concerns of parents, guardians, pupils of surrogate parents would not be permitted in this early meeting. Those concerns were the reason that this bill before us. So, essentially, this amendment would gut the bill before us, and I hope members will join me in opposing the amendment.

Thank you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you.

Representative Kokoruda, you have the floor.

Representative Hoydick, you have the floor.

REP. HOYDICK (120th):

Thank you, Madam Speaker.

I rise in support of this amendment. As a former board of ed chairman for two terms, actually, with this, I realize the intent of the bill is very good, but I'm very concerned about the legal ramifications because whenever you go down the PPT process and you're talking about irregularities in a process and unsurety of parents, it brings a lot of concerns and these concerns, if they are truly to be met in an informal setting, would have nothing to do with the PPT itself and the evaluation of the child.

And if that is the case, then this bill -- this bill is irrelevant. We don't need an informal process to be put into law. This could happen preliminary and without this -- without this bill.

So I support this amendment if we are to move this bill forward.

Thank you.

Deputy Speaker Aresimowicz in the Chair.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, madam.

Will you remark further?

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Representative LeGeyt of the 17th, you have the floor, sir.

REP. LEGEYT (17th):

Thank you, Mr. Speaker.

And thank you for the courtesy of allowing me to rise a second time to speak about this amendment.

I'm responding to those representations that were made by Representative Cook and also by Representative Fleischmann, the chairman of the Education Committee.

And while I certainly understand their concern about not having the wording in the bill -- in the amendment -- in the bill about those concerns, lines 23 through 25. I think that the concerns that I'm talking about are not concerns about the process. They're concerns about the child, and those concerns, as I read these lines, would then be allowed to occur in this preliminary meeting.

Concerns about the process would be inherent in the language that says that the sole purpose of the meeting is to discuss the process. If a -- if a discussion occurs, concerns will come up. And I'm -- I think it's entirely appropriate that concerns about the process be shared in this preliminary meeting.

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However, the language, as it's structured, certainly gives me an indication to think that there's more than just the process to be discussed at this meeting and that's the reason for my concern about these -- this referenced to concerns by the parent.

So I would urge my colleagues to support this amendment and rectify something that I think we all agree would be in the best interests of parent, child, and PPT and school system to just make it more -- to make it more definitive as to what this preliminary meeting is about.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir.

Will you remark further on the amendment before us?

Representative Shaban of the 135th, you have the floor, sir.

REP. SHABAN (135th):

Thank you, Mr. Speaker.

On the amendment, if I may ask a few questions to the proponent of the bill to kind of flesh out how the two fit together. Through you.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Shaban, we are on the amendment so the questions must be to the amendment, or if you want to ask questions on the underlying bill, it will have to be after the action of the amendment, sir.

REP. SHABAN (135th):

Well, if I may, through you, the -- the questions will be concerning the amendment and vis-a-vis the exact section that we're seeking to amend, if I may?

DEPUTY SPEAKER ARESIMOWICZ:

Representative, because we are on the amendment, the amendment was introduced by Representative LeGeyt. I would first try the questions through that, through the Representative, and then if that's not successful, we can explore other possibilities, sir.

REP. SHABAN (135th):

Thank you, Mr. Speaker.

I'll try -- I'll try that option that -- that make sense. If I can then, if I can ask a quick question to the proponent of the amendment.

DEPUTY SPEAKER ARESIMOWICZ:

Representative LeGeyt, please prepare yourself.

Representative Shaban, please proceed, sir.

REP. SHABAN (135th):

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Thank you, sir.

And through you, the -- the question that jumped out at me and I was going to ask any representative who knows about this. At this pre-PPT meeting, are parents within their rights to record any of these conversations? Through you.

DEPUTY SPEAKER ARESIMOWICZ:

Representative LeGeyt.

REP. LEGEYT (17th):

Thank you, Mr. Speaker.

I -- I can't imagine that they would be precluded from recording it. However, recording it is not mandated, and if they were to record any of this meeting, I'm -- I'm sure that it would -- there would be a question of whether it would be included in the record of the formal PPT, although, I don't know how that would play out. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir.

Representative Shaban of the 135th, you have the floor, sir.

REP. SHABAN (135th):

Thank you Mr. Speaker.

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Well, I guess that sort of hits the point that I was trying to inquire about -- and I thank the gentleman for his responses -- because I know a little bit about this not as much as the folks who have been talking.

If you have a meeting with parents and -- and their representative and maybe a lawyer, maybe not, specialists whatever and there are conversations happening about what we're going to do, expectations are created and anything can be talked about with the language we're reading here.

I think -- I think the Representative is right. I think parents are within their rights to record that conversation. It's my understanding that they typically do, that they typically do. In fact, that's the legal advice I get, bring a tape recorder. Let everybody know we're recording this. So that, to me, goes to the core of the issue that this amendment is trying to address, is let's try and keep things in an appropriate place. Some things should be under a cloak of a PPT; some things should be on a pre-meeting about what we're going to do and how we're going to do it.

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So with that, I thank the gentleman for his response. The Chair's indulgence, I -- I ask you to support the amendment.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir.

Will you remark further on the amendment before us?

Representative Carpino of the 32nd, you have the floor, madam.

REP. CARPINO (32nd):

Thank you, Mr. Chairman.

I just want to add my support for this amendment from perhaps from a different perspective. Although, I do not profess to be an expert, I have attended PPT meetings not as a parent but actually as an attorney, sitting there on behalf of a student. And I can't streak -- I can't speak strongly enough, simply on behalf of the parents who come often to these meetings overwhelmed and confused about the depth of information they're being handed about their children.

They care deeply about the educational process. They want to do what's right, but this is often a very new process for them. I think the amendment will clarify things for both the parents, for both the PPT

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team, as well as the district. And I think it will eliminate a lot of the liabilities and concerns that we've had, so I do want to urge strong support for the amendment.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, madam.

Will you remark further on the amendment before us? Will you remark further on the amendment before us?

If not, staff and guests please come to the well of the House. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the chamber. The House is voting House Amendment Schedule "A" by roll call. Members to the chamber please.

DEPUTY SPEAKER ARESIMOWICZ:

Have all the members voted? Have all the members voted?

Will the members please check the board to ensure that their vote has been properly cast. If all the

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members have voted, the machine will be locked. The Clerk will take a tally.

The Clerk will announce the tally.

THE CLERK:

House Bill 5353 as amended House Amendment "A."

Total number of voting	150
Necessary for adoption	76
Those voting Yea	52
Those voting Nay	98
Those absent and not voting	1

DEPUTY SPEAKER ARESIMOWICZ:

The amendment is defeated.

Will you remark further on the underlying bill?

Representative Hovey of the 112th, you have the floor, madam.

REP. HOVEY (112th):

Thank you, Mr. Speaker.

Through you, a couple of questions to the proponent of the legislation.

DEPUTY SPEAKER ARESIMOWICZ:

Please proceed, madam.

REP. HOVEY (112th):

Thank you, sir.

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Through you, I would like to inquire of the gentlewoman -- and first let me just preface this by saying that while this may be legislation that I support in the end, I was originally one of the only people who did not support the whole idea of a IEP task force in its inception. And mainly, I didn't support that because I believed that we -- already under law -- had all the guidelines that --

DEPUTY SPEAKER ARESIMOWICZ:

Representative, will you hold on for one moment.

Can we move the discussions out into the hallway? There is a question and answer aspect of this debate that's happening right now and Representative Cook cannot hear the questions.

Representative Hovey, my apologies.

Would you please repeat your question.

REP. HOVEY (112th):

Thank you, sir.

I was just kind of having a (inaudible).

Anyway, this -- anyway originally, this particular piece of legislation was not something that I supported because I felt that within the law as it is stated and we are directed, federally, there was enough specificity that if we were following the law

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we were given very specific directives. And -- and the good gentlewoman and I have had a number of conversations about this perspective and the idea that there would be an IEP task force and my support of lack of support and that eventually passed both bodies and became the status of how we were going to proceed. And I participated in that to some varying degrees and this is work that came out of that.

Sir, through you, I need to inquire -- I have two areas of concern and so the first area of concern has to do with the pre-PPT meeting. So through you, Mr. Speaker, I'd like to inquire of the gentlewoman, as to what she believes the information will be available to the parents at that pre-meeting. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cook.

REP. COOK (65th):

Through you, Mr. Speaker to the gentlewoman, my understanding through the task force and all of the testimony -- and I need to start by saying that in two years of this process, we've never had one person come out against this legislation in any legal ramification, first and foremost.

What I believe to be expressed or discussed in this task force -- or in this pre-meeting would be solely for the sole conversation of how the process works, what in -- what information you might be able to inquire about, what information you might be looking to receive. And, you know, if any what type of tests might your child be looking at and the likes, just overall conversation of what the IEP and PPT process is going forward. Through you.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hovey.

REP. HOVEY (112th):

Thank you, Mr. Speaker.

So through you, Mr. Speaker, The gentlewoman does not believe that there will have been any formal assessments having already occurred. There will not be conversations and any analysis of the results to intervention that has already occurred, via the typical classroom teachers, programming. This is purely to go through the system behavior and how to navigate through that process, am I correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cook.

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REP. COOK (65th):

Through you, Mr. Speaker, she is correct.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hovey.

REP. HOVEY (112th):

Thank you, Mr. Speaker.

So I thank the gentlewoman for that answer because I think for legislative intent that is a bit more clear than what the language of the legislation actually states. There seems to be some vagueness there.

Now, through you, Mr. Speaker, I would like to move to the section, line 540, that has to do with the specific intervention or the specific language in communication plan for the deaf or hearing impaired. If the gentlewoman is on the same page as I am? She can give me a thumbs up.

Thank you, madam.

So, in this particular area, when I look at the different subcategories as to what would be included in that communication plan, what I really see is something that has to do with good programmatic perspective and that it, technically, in my mind should be good policy versus law.

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And so through you, Mr. Speaker, I would like to inquire of the gentlewoman, why we would be including policy in law for one specific subgroup when probably the very same criteria would be appropriate for every learning divergent subclass that would come under the PPT process, through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cook.

REP. COOK (65th):

Through you, Mr. Speaker to the gentlewoman, as - - as the good representative, I'm sure is aware that there was a merging of two bills through the Education Committee, the Deaf Child Bill of Rights, as well as the IEP task force knowing that through the Education Committee we were going to do one special ed bill this session. And so that would be why we see a -- a carve-out, if you will, but not necessarily a carve-out for the deaf and hearing impaired children because it is not in statute to date. And so what we're doing, moving forward, is including that so we understand that they, too, will be included with those special parameters. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hovey.

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REP. HOVEY (112th):

Thank you, Mr. Speaker.

So, Mr. Speaker, through you to the gentlewoman, is it in statute at this point in time that an individual who is diagnosed as autistic would have a communication plan? Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cook.

REP. COOK (65th):

Through you, Mr. Speaker, not specifically, through you.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hovey.

REP. HOVEY (112th):

Thank you, Mr. Speaker.

And Mr. Speaker, I think that's what the point that I'm trying to get at with the gentlewoman. Is that we have many categories of learning divergent individuals who would benefit from this very same type of language, and it is not in statute but it would be considered best practice or best policy.

And so I would suggest to the gentlewoman that we have this particular carve-out for this group, but it would sit much better for me to have it be a mandate

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for the State Department of Education to have to develop communication plans for all learning divergent children because we know that the one entity that makes us all common people and gives us connectedness and commonality is the use of language and communication.

So I thank the gentlewoman for her answers. I do believe that this bill has some flaws. I think the intention of this legislation is only the very best of intention. I do have grave concerns, though, that we are setting our families up once more for a sense of procedural safeguards that they're going to find just to be one more hurdle they need to get over and one more frustration in an already very frustrating process.

Thank you, sir.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much for your comments, madam.

Ladies and gentlemen, it is quite loud up here. I couldn't even hear the exchange between the two representatives. If you have conversations going, please step out into the hall.

Thank you.

Will you remark further on the bill?

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Representative Reynolds of the 42nd, you have the floor, sir.

REP. REYNOLDS (42nd):

Thank you, Mr. Speaker.

I rise in support of the bill before us and wish to speak on the provision related to the deaf or hearing-impaired children and specifically requiring the individualized education plan to include a language and communication plan within the planning and placement team.

The number of students that we are speaking of in this provision is quite small and that might be the reason that this unique population has received inadequate attention by the State of Connecticut over the last 20 years. The language learning needs of these students is not well understood -- is not well understood by educators and most parents. After all, these students are born to hearing parents in almost every case. Therefore, these parents may not be familiar with the unique learning challenges of these children or may not have the resources to meet them.

Language acquisition is pretty critical to the academic achievement of these students and the federal IDEA act for special ed and the State's Special

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Education Act does not specifically meet the language acquisition needs of this population.

The result of this failure is a 75 to 80 percent of these deaf and hearing-impaired children are not meeting goal on the Connecticut Mastery Test. In other words, Connecticut has yet another achievement gap. The research is quite clear that this achievement gap has nothing to do with the intellectual capacity of deaf or hearing-impaired children but rather by the failure of our special education process and special needs process to acknowledge the unique learning needs of this population.

So I want to thank the co-chairs of the Education Committee and Representative Cook for their advocacy and thank you, Mr. Speaker, for the opportunity.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir.

Will you remark further on the bill before us?

Representative Candelora of the 86th, you have the floor, sir.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

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Mr. Speaker, if I may, a question to the
proponent?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cook, please prepare yourself.

Representative Candelora, please proceed, sir.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

There was -- there was discussion regarding the -
- the pre-PPT process and -- and I was just a little
bit confused over the colloquy between -- between
Representative Cook and Representative Hovey.

As I'm reading the language in lines 21 through
25, this meeting, as I read it, would be a mandatory
meeting; am I correct? Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cook.

REP. COOK (65th):

Through you, Mr. Speaker, no. This is a meeting
if the -- a family or guardian requests the meeting if
they feel they do not understand the process. Just to
get some clarification of the process but not a
mandatory meeting unless requested.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Candelora.

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REP. CANDELORA (86th):

Thank you, Mr. Speaker.

So the way this would work is once the parent makes the request the meeting then becomes mandatory? Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cook.

REP. COOK (65th):

Through you, Mr. Speaker, yes.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And as I read in lines 21 through 25, the requirements of the meeting -- and this is where I'm -- I'm confused is -- is that it seems as if the discussion needs to be about the purpose of the planning and placement team process, but then we also have language here that the parent can also discuss any concerns about the child who requires or may require special education.

And I'm wondering if the Representative could explain to me what that would mean because that language seems to suggest to me that there could be

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discussions about the child's educational issues or
academic issues. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cook.

REP. COOK (65th):

Through you, Mr. Speaker, yes. It would be not
to discuss performance or evaluations or test scores
or anything like that because, quite honestly, this
meeting is happening prior to the original PPT and,
quite possibly, those testing results won't be --
wouldn't be done or completed at that time anyway.
But it could be questions and concerns regarding how -
- how long a test might take, how long, you know, how
often could a child be taken out of class. Just more
of the understanding in overall confusion because as
we've heard this process is very demanding and
traumatic. And especially for somebody who's going
into it for the first time, there's a lot of
communication barriers and language barriers and so
it's simply to simplify the way that we go forward as
the formal process would begin. Through you.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Candelora.

REP. CANDELORA (86th):

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Thank you, Mr. Speaker.

So, hypothetically, if a parent requests this meeting and they go in to -- to this planning meeting with the team and they request it because the child has not yet been diagnosed with any type of learning disability but they're concerned that their child may have one. So they go and request this pre-meeting and there's a discussion about the process. And it's explained to them how the process is going to go -- is going to go forward where the child will be tested.

If the parent begins to ask questions of the teachers that are in the room, stating, you know, why they think that their child may need the testing and -- and how they might not be performing on say the CMTs, they didn't perform as well in the reading category, and so they're concerned with the reading comprehension. Would -- would the team be required to have those discussions? Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cook.

REP. COOK (65th):

Through you, Mr. Speaker to the good representative, this is not a team meeting. It's just where it says "team process," this is not a meeting

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with all of the people that would be in a PPT. This meeting would solely be with one person, whether it be the special ed advisor, a guidance counselor, a social worker, solely for the purpose to discuss what's coming forward. This is not bringing teachers and other professionals to the room and having a big large round table conversation. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

So if -- if a teacher -- say, the student's teacher, who is a member of the team, is the person designated to have this pre-meeting with the parent and so they're sitting in the room, the process is explained to the parent, and then the parent begins to ask questions about the child's CMTs scores, about how they might be scoring below goal in reading comprehension, how would the teacher react to that situation? Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cook.

REP. COOK (65th):

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Through you, Mr. Speaker, I cannot speak as to how a teacher would react to a conversation or a question, but this is a professional that understands the process and would clearly know that the meeting that they had been sitting in on is for the sole purpose of explaining how the process works and not to discuss what that student's current abilities or inabilities or current behaviors and test scores would be. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

That's where my confusion lies because the plain language of this bill. In lines 22, it does state for the sole purpose of discussing the planning and placement process and concerns or any concerns with the child or pupil who requires or may require special education.

So it seems to me that this meeting encompasses both the team process and also any concerns that the parent may have. And so that's my question is, if a parent has questions concerning their particular child, how would the teacher address it because it

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seems that the statute would require these discussions
to take place. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cook.

REP. COOK (65th):

Through you, Mr. Speaker to the good
representative, if he -- if you would read the whole
section, lines 14 through 25, I think it does explain
that it's the responsibility of the local or regional
board of education to provide a parent -- to provide
such parent, guardian, or pupil, or surrogate parent
an opportunity to meet with a member of the planning
and placement team, designated by such board prior to
the referral and planning and placement team meeting.

I believe right there explains in that piece of
legislation what that is going to be -- what's going
to be discussed and who's going to be discussing it.
And at -- at the same time that local board would give
the parameters to whoever is going to be running that
meeting as to what can and cannot be discussed.

Through you.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Candelora.

REP. CANDELORA (86th):

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Thank you, Mr. Speaker.

And I appreciate that section. I understand that, but when we go to the next section, we're laying out that such meeting shall be for the purpose of. So we're mandating in this bill what the content of the meeting is going to be because of this -- the language "shall." And that particular sentence has two issues that the meeting can be for: number one, to discuss the planning and placement team process; and any concerns such parent has regarding the child or pupil who requires or may require special education.

And so I guess we could say what that the intent may be for the meeting to only address the team process, but the plain language in the bill does not say that. The plain language in the bill suggests that the meeting shall be for the purpose of the team meeting process and for discussing concerns of the child.

And I think we can try to establish all the legislative intent in the world, but if the plain language of the bill is clear, which it seems to be, no one is going to look pass the language in the bill. And I think we are putting our -- our teachers in -- in a bit of a quandary, and I think the entire bill is

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well intentioned. I -- I don't really -- I can't really understand why this language needs to remain the way it is because, frankly, I think it truly is putting the PPT process into question. And I think what we're going to begin to see now is a pre-PPT process that's starts to take the place of the PPT, and I think in doing so we're going to be frustrating the underlying intent of the bill.

And the underlying intent is let's get the parents in here and let's teach them what the procedure is so they're familiar with the process when they're going in to the PPT. But we sort of muddied that water and so these parents are going to come into a meeting where they may or may not be prepared for sort of a pre-review of a child's assessment.

And I -- I guess my questions still haven't been sufficiently answered. So I don't know where I'm going with this bill, but I think it's something that we really need to take a look at because it is a difficult process not just for the parents but also for the teachers.

I've experienced the PPT process, and I find that everybody has the child's best interest in mind, and sometimes, you know, if we create this kind of

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ambiguity, we can only be creating tension for ourselves in the process that might set up a lot of expense and liability, not just for the towns but also for parents and students.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir.

Representative Kokoruda of the 101st, you have the floor, madam.

REP. KOKORUDA (101st):

Thank you, Mr. Speaker.

I rise in support of this bill. The thing we're talking about right now is the pre-meeting, and I've certainly listened to the debate.

I'm very fortunate that my grandchild who has regular PPT meetings lives in a town that does do a pre-meeting all the time. It's not mandated but they do it. My daughter-in-law never walks into that meeting without knowing what's going to be said.

I have to say I -- I am concerned and I wish we could have passed that amendment because I think we, potentially, could be putting local boards of ed at risk. That's such an open thing. It's not what we're trying to do, but a parent shouldn't walk into a PPT -

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- PPT meeting unprepared without the right questions.
And I know that was the intention, but I think we've opened a door and I hope at some point we'll be able to go and really fine tune that to help local board of eds do the best they can for children.

But I want to thank Representative Cook for -- for her work in merging the Bill of Rights for Deaf and Hearing Impaired. So many of us that were there that night and listened to hours of testimony, it was pretty heart wrenching but it was very hopeful. And I stand really -- here, really pleased, that we've included this and actually reaching out to this community with educational options, and I, as I said, I stand in support of the bill.

Thank you.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much for your comments, madam.

Will you remark further on the bill before us?

Will you remark further on the bill before us?

Representative Lavielle of the 143rd, you have the floor, madam.

REP. LAVIELLE (143rd):

Thank you very much, Mr. Speaker.

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Just a brief question for the proponent of the bill. I would like to know if a particular school district already has pre-PPT meetings, and they are part of the plan, part of the program, and they hold those meetings with the entire team in the room, is that in compliance with the spirit of the bill?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cook.

REP. COOK (65th):

Through you, Mr. Speaker, I am not aware of all the districts and how they handle their process, but through the PPT process -- PPT process, it does not require, at all, a pre-meeting. And that was one of the concerns after the two years of hearing outcry and having testimony, public hearings and the work of this task force, that was one of the biggest concerns was that parents would walk into the -- the initial PPT and just could be completely overwhelmed with the lack of information as to how to the process works and what to expect going forward.

So to my understanding there is no pre-meeting at this time, but they're very -- may very well be, I'm just not aware of it. Through you.

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DEPUTY SPEAKER ARESIMOWICZ:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you very much, Mr. Speaker.

Well, I -- I was just concerned to know that if -- if there were a place where this was done routinely and with everyone involved would -- would that be entirely in keeping with what you think the intention of the bill is? Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cook.

REP. COOK (65th):

Through you, Mr. Speaker, I believe that a meeting with everybody sitting at the table is not what this pre-meeting is intended to be. I do believe that that would lead us to a different conversation.

This pre-meeting is solely with one person just to explain the process. It is not about sitting around the table, as I've said before, and discussing everything and bringing everybody in. It's solely about a parent, guardian, and the likes, sitting down with one professional to explain how the process works and that is the sole purpose for this meeting.

Through you.

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DEPUTY SPEAKER ARESIMOWICZ:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you, Mr. Speaker.

So then, the for -- for legislative intent, this is strictly the -- the intent of that part of the bill is to provide a meeting at which information flow is one way, from the school system to the parents, to say this is what you are now getting into, this is how it works, this is what you may expect. And I presume, then, that the content of those meetings would be almost exactly similar from meeting to meeting; is that right? Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cook.

REP. COOK (65th):

Through you, Mr. Speaker, yes, that should be very simple information from, you know, different families. It's -- it's a core set of information, and it would state, you know, you -- you could be looking at a PPT meeting once every so many months, you could be looking at five people possibly being sitting around a table, you know. So it's solely about

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explaining what happens next, not about test scores
and -- and performance and the likes. Through you.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you.

And this -- this actually leads me to another
question, which is, if the content is substantially
similar from meeting to meeting, is it something that
could be communicated by another means than by a
meeting, for example, in writing or electronically or
with a video or something like that? Through you, Mr.
Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cook.

REP. COOK (65th):

Through you, Mr. Speaker, the sole purpose of
this meeting is to personalize the process, to be able
to have -- if you have the parent or legal guardian to
-- that needs a question answered, it would be very
difficult to ask a question to a video or piece of
paper and so that's why you need a professional to be
sitting in the room so you can simply ask questions as
to how this process works. Through you, Mr. Speaker.

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DEPUTY SPEAKER ARESIMOWICZ:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you.

And so if there were differences in the way that different districts populate the meeting or explain in the meeting, then that -- that would violate the spirit of the bill? Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cook.

REP. COOK (65th):

Through you, Mr. Speaker, I believe that not one person ever explains anything the exact same way. So I would expect that that meeting would have a little bit of variance from district to district and person to person, but I would say that the core basis of the meeting and the information coming out of it should all be the same. Through you.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Lavielle.

REP. LAVIELLE (143rd):

Okay. Thank you.

I -- I appreciate the answers from the good representative and thank you, Mr. Speaker.

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DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much Madam.

Will you remark further on the bill before us?

Representative Cook, you have the floor, madam.

REP. COOK (65th):

Thank you, Mr. Speaker.

I just wanted to thank all of the people that had volunteered their time for the months and months, sitting on this task force, the superintendents, the teachers, the professionals, the legislators, and the likes, because this piece of legislation is so very important for the most vulnerable population that we have in this state and that is our children and our children with special needs.

And going forward, I need to express that we've had two years and in all of this legislation coming out of it has been the works of many and so I just wanted to thank everyone and for their support.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, madam.

Will you remark further? Will you remark further?

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If not, will all staff and guests please come to the well of the House. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the chamber. The House is taking a roll call vote. Members to the chamber please.

Speaker Donovan in the Chair.

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted?

Please check the roll call board to make sure your votes were properly cast. If all the members have voted, the machine will be locked, and the Clerk will please take a tally.

Will the Clerk please announce the tally.

THE CLERK:

House Bill 5393 as amended by House "A."

Total number Voting --

A VOICE:

-- 5353.

THE CLERK:

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-- 5353 as amended by House "A."

Total number voting	149
Necessary for passage	75
Those voting Yea	149
Those voting Nay	0
Those absent and not voting	2

SPEAKER DONOVAN:

The bill passes.

If I may have everyone's attention. I just want to give some directions on people requesting to speak.

Apparently, there has been some malfunctions in the -- over the last week or so, people have been pushing the button and their name not coming to the board so we want to make sure we give everybody the opportunity to speak so if -- I'll make sure the people who stand up here as speakers.

Certainly, we always ask would you care to remark, care to remark. If you feel that they're about to say -- move on to the next step, please stand up and say "Mr. Speaker" or "Madam Speaker" as whatever the case may be.

Actually, if you read our rules -- if I may, read from our rules. Rule number 16, when any member is about to speak in a debate or deliver any matter to

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2012**

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Yes, Thank you, Madam President.

Calendar page 14, Calendar 455, House Bill 5353 is marked go; Calendar page 16, Calendar 470, House Bill 5348 marked go.

At this time is the next two items, Mr. President.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On page 14, Calendar 455, Substitute for House Bill Number 5353, AN ACT CONCERNING INDIVIDUALIZED EDUCATION PROGRAMS AND OTHER ISSUES RELATING TO SPECIAL-EDUCATION, favorable report of the Committees on Education and Appropriations.

THE CHAIR:

Senator Stillman. Senator Stillman.

SENATOR STILLMAN:

Thank you, Madam President.

I move the joint committee's favorable report in concurrence with the House.

THE CHAIR:

The motion is on acceptance and passage.

Will you remark, please.

SENATOR STILLMAN:

Thank you, Madam President.

The bill in front of us is the singular special-education bill that is -- has been raised by the Education Committee and received unanimous support, or pretty close to it along the way.

It calls for an additional meeting for parents whose children have been identified as needing an IEP for

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special education. It requires, also, that the school district provide -- hang on one moment -- an opportunity for the parents to have the chance to sit down with one person within the school.

The bill also includes language on -- sorry, Madam -- I got the files mixed up. I apologize for that.

THE CHAIR:

No problem.

SENATOR STILLMAN:

It -- it also -- it also has language in there to make sure that we have nexus with the school district. And I urge passage.

Thank you.

THE CHAIR:

Will you remark? Will you remark?

If not --

SENATOR STILLMAN:

If there isn't any objection, I ask that we place this on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

Mr. Clerk.

THE CLERK:

On page 16, Calendar 470, Substitute for House Bill Number 5348, AN ACT CONCERNING THE ADMINISTRATION OF MEDICINE TO STUDENTS WITH DIABETES, THE DUTIES OF SCHOOL MEDICAL ADVISERS, THE AVAILABILITY OF CPR AND AED TRAINING MATERIALS FOR BOARDS OF EDUCATION AND PHYSICAL EXERCISE DURING THE SCHOOL DAY. It's amended by House Amendment Schedule "A" and "B" and favorable report of the Committees on Education, Public Health and Appropriations.

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(HB 5283)

On page 3, Calendar 240, House Bill 3283; page 3, Calendar 299, House Bill 5437; page 5, Calendar 349, Senate Bill 374; page 6, Calendar 375, House Bill 5440; page 6, 362, House Bill 5011.

On page 7, Calendar 376, House Bill 5279; on page 7, 387, House Bill 5290; on page 8, 394, House Bill 5032; on page 8, 396, House Bill 5230.

Also on page 8, Calendar 398, House Bill 5241; on page 8, Calendar 393, House Bill 5307; on page 9, Calendar 403, House Bill 5087; on page 9, Calendar 406, House Bill 5276; on page 9, 407, House Bill 5484; on page 11, Calendar 424, House Bill 5495; on page 12, Calendar 435, House Bill 5232; on page 13, Calendar 5 -- excuse me Calendar 450, House Bill 5447; on page 14, Calendar 455, House Bill 3 -- I'm sorry -- House Bill 5353.

On page 14, Calendar 453, House Bill 5543; on page 14, Calendar 459, House Bill 5271; on page 15, Calendar 464, House Bill 5344; on page 15, Calendar 465, House Bill 5034; on page 16, Calendar 469, House Bill 5038; on page 17, Calendar 475, House Bill 5550; on page 17, Calendar 474, House Bill 5233; on page 17, Calendar 477, House Bill 5421.

Page 18, 480, House Bill 5258; on page 18, Calendar 479, House Bill 5500; page 18, Calendar 482, House Bill 5106; on page 18, Calendar 483, House Bill 5355; on page 19, Calendar 489, House Bill 5248; on page 19, Calendar 488, House Bill 5321; on page 20, Calendar 496, House Bill 5412.

On page 21, Calendar 504, House Bill 5319; page 21, Calendar 505, House Bill 5328; on page 22, Calendar 508, House Bill 5365; on page 22, Calendar 510, House Bill 5170; on page 23, Calendar 514, House Bill 5540; on page 23, Calendar 517, House Bill 5521.

Page 24, Calendar 521, House Bill 5343; page 24, Calendar 518, House Bill 5298; page 24, Calendar 523, House Bill 5504; page 29, Calendar 355, Senate Bill 418; on page 13, Calendar 444, 5037; and Calendar 507, House Bill 5467.

THE CHAIR:

Senator -- Senator Suzio.

SENATOR SUZIO:

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Good evening, Madam President.

I just want to clarify. I thought I heard the Clerk call House Bill 5034? Is that on the consent calendar?

THE CHAIR:

Do you know what page that is, sir?

SENATOR SUZIO:

No I -- he was reading so fast, Madam, I couldn't get it.

THE CHAIR:

It's -- yes it's 53 -- I don't know.

SENATOR SUZIO:

5034.

THE CHAIR:

5034, yes sir.

SENATOR SUZIO:

I object to that being put on the consent calendar, Madam President.

THE CHAIR:

Okay, that will be removed.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Yes, just seeing that -- ask to remove that item from the consent calendar.

THE CHAIR:

So ordered.

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At this time we'll call a roll call vote on the consent calendar.

Mr. Clerk.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Senators please return to the Chamber. Immediate roll call has been ordered in the Senate.

THE CHAIR:

Senator Coleman, we need your vote, sir.

Senator Kissel, Senator Kissel. Senator Kissel, will you vote on the consent calendar please?

All members have voted?

If all members have voted, the machine will be closed.

Mr. Clerk, will you call the amendment -- I meant the tally.

THE CLERK:

On today's consent calendar.

Total Number Voting	36
Necessary for Adoption	19
Those Voting Yea	36
Those Voting Nay	0
Those Absent and Not Voting	0

THE CHAIR:

The consent calendar has passed.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, I believe the Clerk is in possession of Senate Agenda Number 6 for today's session.

**JOINT
STANDING
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HEARINGS**

**EDUCATION
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seen, and we're trying to be realistic about what we can do in that context.

Second, you all probably are aware that traditionally young students get top priority after public officials at this Committee. Today, there is an exception to that rule. We are lucky enough today to have half a dozen members of the hearing impaired community here today to talk to us about a Deaf Child Bill of Rights legislation that we have before us.

And the very able sign language interpreter who is with us is with us for just a few hours. So we will be making sure that those who are hearing impaired go right after the public officials, and then students will get to go right after them. And given how things work, it's probably right after Commissioner Pryor has finished his testimony.

And so with that, we're hopeful that folks will respect the rules. There will be a bell that will go off after three minutes of testimony. And for those who are hearing impaired, we will make the appropriate signal so that you will know that three minutes are up. And we look forward to hearing your testimony. And Commissioner Pryor, I believe you're up first.

COMMISSIONER STEFAN PRYOR: Greetings. Thank you, Madam Chair, Mr. Chair, Members of the Committee. I'm very pleased to be back in front of you and prepared to talk with you again today. Ranking Members, Members of the Education Committee, thank you very much for this continuing opportunity.

First, thank you, again, for your consideration of S.B. 24, THE GOVERNOR'S OMNIBUS EDUCATION REFORM BILL. This truly has

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SB301
HB5351

understanding of the implications of this bill. I simply want to share with you that we welcome a conversation around it. We've not yet had it, at least at the Commissioner level.

S.B. 300, AN ACT CONCERNING EARLY CHILDHOOD EDUCATION, addresses the preparation provided to our youngest children. Madam and Mr. Chair, Members of the Committee, you know very well that the Governor and this Administration as a whole, this Education Department, are deeply committed to promoting expanded, high-quality early childhood education.

S.B. 24 includes new funding for 500 additional slots as well as dollars to increase provider quality through a tiered quality rating and improvement system that we think is absolutely essential to large-scale change beyond the near-term investments that we think are also very important.

We view the Governor's proposal as an important down payment on our shared long-term goal, and we would welcome an exploration of anything further that is aimed at or is proposed. We think that the method that the Governor's bill proposes is a good first step.

Two bills up for discussion today, H.B. 5353, AN ACT CONCERNING INDIVIDUALIZED EDUCATION PROGRAMS AND OTHER ISSUES RELATED TO SPECIAL EDUCATION, and H.B. 5357, AN ACT CONCERNING A DEAF CHILD BILL OF RIGHTS, are in the domain of special education and related issues.

These are both very important bills. And as you know well, special education is an intricate, highly regulated, and cost-intensive set of programs and initiatives.

Our Bureau of Special Education is undertaking an analysis of these bills, including their conformance with federal law and best practices.

We will present the Committee with this analysis when complete. We're welcome to make our Bureau available to you, Mr. Chair, Madam Chair for, to assist you in analyzing these bills. And we look forward to working with you.

S.B. 301, AN ACT CONCERNING THE OPEN CHOICE PROGRAM, would reduce funding available to RESCs for the purpose of transporting students for choice programs. We haven't received any background on this bill, but I just want to note on the face of it, this bill gives us cause for concern.

The RESCs are the state's crucial partner in, among other areas, fulfilling our obligations to give parents choice and achieve racial diversity in our pursuit of quality integrated education, especially in the SHEF context and across the state, we should approach with caution proposals to cut funding for these programs.

Madam Chair, Mr. Chair, Members of the Committee, we're not clear on the purpose of this bill, its point of origin as of yet, but as of now, we must flag it for concern.

H.B. 5351 proposes changes to the technical high school system. As you know, we too, that is to say, the Governor's bill and the Education Department, have proposed changes to the governance of the vo-tech system or the technical high school system as it is to be called going forward in the, in both pieces of legislation.

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12:00 P.M.

SENATOR STILLMAN: In terms of a couple bills that you are confused about, maybe I can give you some points of origin, I think, as you stated.

COMMISSIONER STEFAN PRYOR: Thank you.

SENATOR STILLMAN: 5353, AN ACT CONCERNING IEPs, that was a bill that was before this Committee last year after a task force that I chaired the previous summer that had some what I believe are somewhat watered-down recommendations for better parental access --

COMMISSIONER STEFAN PRYOR: Yes.

SENATOR STILLMAN: -- to information for children who are deemed to need an IEP by the school district. So the language is similar, if not exact, to last year in that, in terms of the IEP process. So I just wanted to give you a little background on that, and I'd be happy to talk to you about that --

COMMISSIONER STEFAN PRYOR: Yes.

SENATOR STILLMAN: -- to move that forward. Last year, it was a Senate bill, and, unfortunately, it didn't get out of the House, so this year it's a House bill. And my hope is that it will get out of the House first and then move along to the Senate when the bill is ready.

Senate Bill 301, THE OPEN CHOICE PROGRAM, it's an issue that I have raised, not just with my Co-Chair, but also as a member of the ESC Task Force, Co-Chair of that Committee.

In Southeastern Connecticut, we had an open choice program so that children from New London and from outlying areas, suburban

You find a problem. Rachel is very articulate, and one of the best things in her IEP is her, teaching her to self-advocate. So she's been very good at saying this isn't working for me.

But it really takes a lot of research and stubbornness to make those things happen. This bill would create a template in guidance so that we and other families would have that guidance going through.

REP. NAFIS: Well, thank you very much. And, again, Rachel, you are quite the advocate. We're really happy that you came to see us today. Thank you.

RACHEL KANE: Thank you.

REP. FLEISCHMANN: Are there questions from Members of the Committee? If not, thank you.

RACHEL KANE: You're welcome.

A VOICE: Oh.

REP. FLEISCHMANN: We hear next from James McGaughey to be followed by Nick Damraksa.

JAMES MCGAUGHEY: Good afternoon, Representative Fleischmann, Members of the Committee. My name is Jim McGaughey. I am the Director of the Office of Protection and Advocacy for Persons with Disabilities.

And I'm here to speak on behalf, on two of the bills that are on your agenda today, Raised Bill Number 5357, AN ACT CONCERNING A DEAF CHILD BILL OF RIGHTS, and Raised Bill 5353, AN ACT CONCERNING INDIVIDUALIZED EDUCATION

planning process not functioning on this? It's just there isn't any prompt for the teams to consider these issues. There's nothing that's forcing them to do that.

Many of the educators that are present are not well informed about the issues in deaf education or educating children with, who are, who have, who are hard of hearing. And, in fact, a lot of times parents aren't that well informed either or don't have the resources.

So this is obviously very good legislation, and I believe it is fully compatible with the special education laws that we have. There's nothing in this bill that would be in conflict with those, with the federal IDEA or the state statutes. Rather, it will supplement them.

The other point I wanted to make was on, so I would urge you to support that. The other bill I wanted to testify on, 5353, makes a number of useful additions to the statutes defining Individual Education Plans and the planning process. These are really best practices that are already in place in some districts involving things like sharing evaluations before the PPT meetings.

And if there is any guidance document that the State Department of Ed has developed regarding the identification or education of children with particular disabilities, sharing that information with parents as well. These are all good things. I would suggest, however, that there are some other things you could do in this legislation that would also be very useful.

There is a section that is going to be modified very slightly in section one of the bill where it talks about informing parents

about state laws and regulations regarding the use of restraint and seclusion. The requirement is currently being met by providing parents with a copy of a pamphlet that has been developed by the State Board of Education.

And I think you could include additional requirements for that particular pamphlet to the effect that whenever a student with a disability has been subjected to restraint or seclusion, the school system is supposed to notify the parent.

But we know from data that the State Department has collected that that is not happening all the time, that in fact school districts, public schools are notifying parents only 85.1 percent of the time and that the regional special education service centers are notifying parents only 42.2 percent of the time.

So if that pamphlet could be modified with some instructions to families as to where they could turn to complain when that happens, that would be, I think, a useful addition.

As long as we're talking about the use of seclusion, which is currently permitted under, if it's written into an IEP, it's currently permitted by state law. And it would be my preference as an advocate that that not be the case, that that be eliminated from our statutes.

But as long as it's there, I think it would be important to inform parents that this is, that seclusion is not considered to be evidence-based practice when it is included in an Individual Education Plan and furthermore that some experts view the planned use of

involuntary seclusion as unnecessary, counterproductive, traumatizing, and potentially dangerous. I think parents don't know that. They assume because it's permitted by law that it somehow is a sanctioned activity.

So I would encourage that the pamphlet that's referred to in that section of statutes include that information and also that it would refer parents to our office or to the Connecticut Parent Advocacy Center so if they have any questions or concerns about restraint or seclusion of their children.

That's pretty much what I have to say, and thank you for your attention. If there's any questions, I'll try and answer them.

REP. FLEISCHMANN: Thank you. I guess my first question would be all those comments that you offered on restraint and seclusion were in reference to which bill that's before us today?

JAMES MCGAUGHEY: Well, it's, there's, it's 5353, and it just, there's a section in there that restates, it makes minor, section one makes minor modifications to the section, to a section of the Connecticut General Statutes that refer to this, the requirement to get parents information.

So I was just suggesting that you go beyond that. As, you know, as long as that section is there, this is an opportunity to address is.

REP. FLEISCHMANN: And in your testimony, you said that seclusion is in no circumstance an evidence-based practice.

And I'm just curious, I have many friends and constituents who have children on the autism spectrum, and I'm aware of circumstances where there is a transition that's gone badly and a child really needs to be taken away from the sort of tumult of activity and brought to a quiet place in order to sort of recover from the transition.

So wouldn't that be a circumstance where a type of seclusion is, in fact, a recommended part of an Individualized Education Plan?

JAMES MCGAUGHEY: I think there's a difference, I'm going to refer to something that was actually published by a training consortium that's called a Non Abusive Psychological and Physical Intervention, NAPPI. They provide training in a variety of contexts. They're approved by our Department of Developmental Services to provide training to staff in provider organizations and so forth.

Here's what they say on that. It says, seclusion has no therapeutic value. Research that we have seen, and our 32 years of experience, together show that imposed seclusion does not have any positive value in modifying behavior. Choosing to be alone while you self-calm, having time pass allows adrenaline levels to wane and coping mechanisms to take hold, being in a quiet, calm place can alter mood.

So they're saying, yes, there's a role for being alone and cooling out. There's no problem with that. It's when you take somebody, and they go on and list a number of other things.

All of those things can be achieved in safer, less traumatic ways than imposed seclusion.

Seclusions are more likely to create resentment, fear, and anger than compliance and improved self-regulation. And they go on, and they list a whole lot of other things about it being potentially dangerous and so forth, so --

REP. FLEISCHMANN: Thank you. I think you're making a distinction between a child who's being closed into a room by him or herself and a child who may be being led away --

JAMES MCGAUGHEY: Right.

REP. FLEISCHMANN: -- gently with --

JAMES MCGAUGHEY: Absolutely.

REP. FLEISCHMANN: -- with someone who is a paraprofessional or therapist.

JAMES MCGAUGHEY: Absolutely.

REP. FLEISCHMANN: I follow what you're saying now. Are there other questions or comments for the witness before us?

REP. JOHNSON: Yes.

REP. FLEISCHMANN: Representative Johnson.

REP. JOHNSON: Thank you, Mr. Chair. And thank you for your testimony today. Following up a little bit on your comments with regard to individual plans, I'm wondering what type, are there students who will find it difficult to be in a regular classroom, in other words mainstreamed, when they have difficult behavioral issues?

And how would you propose to address some of those classroom management issues, i.e. there

have been in the past a number of districts that have alternative schools, for example. What would your suggestion be in these circumstances where children have big behavior issues, and it tends to be generally in places where the resources are limited? Could you just give me your views on that?

JAMES MCGAUGHEY: Well, that's a huge, huge issue, and I don't pretend to know how to best educate every child in Connecticut. I do know this, that there are lots of kids who have unrecognized mental health or behavioral health needs who are included in regular classrooms, and then usually it's when the behavior becomes a problem to others that they get identified and in some cases removed from those environments.

But often the people, you know, the teachers and the principals (inaudible) don't recognize that there's mental health problems going on. So a lot of kids actually wind up being suspended, expelled, arrested, things like that happening.

And one solution would be to increase the level of awareness of the indices of children who might have some mental health needs and making sure that there's appropriate referrals to places where they could get help.

Putting that aside, you know, obviously, there are some children that have some level of psychiatric impairment, whether it's by, you know, nature or nurture or whatever the ideology is that basically are educated in very self-contained special kinds of places.

There's others that can, with appropriate, positive behavioral support over time, can learn from peers, from particularly the, sort

of the informal learning that goes on with being around typical children is often a very powerful way of teaching what's appropriate behavior.

So there are lots of kids that could be supported in regular classrooms, but the key is they have to have the supports. You can't just put them there and let the, and expect the teachers to cope with that situation, because a lot of times that's a formula for failure. And I do see that happening in the field too, so --

REP. JOHNSON: Just one quick follow-up.

JAMES MCGAUGHEY: Mm-hmm.

REP. JOHNSON: And that is, what about when the, what would the balance be in a classroom, how many children with those kinds of behavioral disorders would you put into a classroom of say 30 children?

JAMES MCGAUGHEY: I wouldn't know the correct answer. There are people who do figure that stuff out. Generally, the percentage should be small. That's, I do know that much.

REP. JOHNSON: So how about in general, just one percent or --

JAMES MCGAUGHEY: I couldn't tell you a percentage for all that.

REP. JOHNSON: -- you know, 10 percent, 20 percent?

JAMES MCGAUGHEY: Ten percent would certainly be an excessive number, I would think, yes.

REP. JOHNSON: Thank you so much for your testimony.

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March 5, 2012
12:00 P.M.

REP. MCCRORY: Fifteen buses.

MARK RIBBENS: Yes.

REP. MCCRORY: Okay.

MARK RIBBENS: They tend to be smaller buses so that, you know, I mean we're trying to --

REP. MCCRORY: All right. Thank you.

MARK RIBBENS: Sure.

SENATOR STILLMAN: Anyone else?

Thank you very much, sir.

MARK RIBBENS: You're welcome. Thank you.

SENATOR STILLMAN: We appreciate the information.

Daniela Giordano? Followed by Roch Girard and then John Bailey.

DANIELA GIORDANO: Good evening --

SENATOR STILLMAN: Good evening.

DANIELA GIORDANO: -- Senator Stillman and members of the Education Committee. My name is Daniela Giordano, and I am the policy director of the National Alliance of Mental Health Illness here in Connecticut. And I'm here today to support the important undertaking of enhancing education, including special education, in our schools in Connecticut, specifically, as it regards HB 5353, AN ACT CONCERNING AN INDIVIDUALIZED EDUCATION PROGRAMS AND OTHER ISSUES RELATING TO SPECIAL EDUCATION.

We would like to thank the Education Committee for raising a bill that proposes important changes to the

laws concerning individualized educational program for children requiring special education. The bill improves dissemination and communication of information regarding individualized education programs to parents and guardians. The program also addresses the need for teacher training regarding the implementation of IEPs. While the enacting of this bill would do a great deal to help parents and guardians and would provide for the needed teacher training, this bill, unfortunately, does not address an issue of utmost concern for the National Alliance on Mental Illness, the use of seclusion in rooms in schools. Under current law, seclusion may be part of an individualized education program; however, there is no evidence that seclusion has therapeutic value or enhances educational outcomes.

We cannot allow schools to rely on seclusion as an effective treatment. Instead we must work with school administrators, train school staff, and teachers to use positive behavioral interventions that have proven success in the de-escalating problematic behavior. Connecticut should have the safest, most effective and humane teaching and learning environments in the country. That is not the case now, but we can address that.

There is no evidence-based research to suggest that seclusion of a child is therapeutically effective. To the contrary, research demonstrates that seclusion can be both physically and psychologically harmful. Rather than seeing it as a way to promote self-regulation, experts generally view seclusion as a treatment failure, as this practice actually promotes more emotional and behavioral disruptions.

We propose that the limitations on the use of seclusion in school be the same as the limitations that Connecticut currently places on the use of restraints, that seclusion be allowed and emergency situations only and not in an IEP. The following states limit the use of seclusion to physical safety

emergencies only or ban the practice entirely, including: Oregon, Colorado, Louisiana, Wyoming, Maine, Nevada, and Texas.

A child's IEP documents the educational program be provided by the school to a child with a disability so that the child receives a free appropriate public education. Because seclusion does not constitute an educational program, treatment, therapy, or service, nor does it provide a student with free appropriate public education, it should not be part of an IEP. Rather, an IEP must include positive behavioral interventions, supports, and de-escalation techniques that are proven to be effective methods in reducing problem behaviors and can actually increase classroom learning.

In summary, ongoing staff training regarding the proper use of intervention is very much needed. Student's needs must be addressed on an individual basis and addressed via state-of-the-art skill building interventions. Introducing these approaches, enhances the learning environment for everybody. Thank you very much for your time.

SENATOR STILLMAN: Thank you for your testimony.

Questions anyone?

Yes, Representative Johnson.

REP. JOHNSON: Thank you, Madam Chair.

And thank you for your testimony today. I'll -- I have some questions about our ability, as we are now, to address children that have emotional difficulties in the classroom.

I think that, perhaps, there may be some districts that have a higher concentration of children with emotional districts -- disabilities than other districts, and in terms the concentration of children

in those classrooms and the ability of teachers to address large numbers or proportions of children with psychiatrically disabilities in each classroom, I think that we're probably running into some difficulty with how we do mainstreaming. Do you have any comments on that?

DANIELA GIORDANO: I do believe that that is probably part of the bigger picture in terms of really looking at how many special education students there are and how, actually, even people that don't -- that aren't technically in special education that might have, for example, behavioral health issues that need addressing, whether they're identified, as such, or not. And that is something that I can we need to do also more data collection on that. And I know that there is a seclusion bill coming up in the Children's Committee that is really looking at data in terms of restrain and seclusion. I think that can be in connection to what the prevalence is by school or by school district, and to really address those kinds of concerns that I completely understand schools might have.

REP. JOHNSON: Do you have a sense of how many children with emotional disability should be -- what percentage we should have in each classroom? Should it be 1 percent, or 10 percent, or 50 percent? How many -- how many should we mainstream into a particular classroom?

DANIELA GIORDANO: I am not the expert on that, but I can definitely get you some information from somebody who is in terms of that. I do know that we have, I believe, about a quarter of children that are -- that have diagnosable emotional behavioral disorders and only about a fifth of those actually receive appropriate treatment and have access to that.

REP. JOHNSON: And -- just one more quick question, in terms of the ability for a teacher to conduct regular class activities with other children that don't have

emotional disabilities, and try and get the -- the programs through to those children, do you think that that could have an impact on the other children?

DANIELA GIORDANO: You're wondering about if the children had more supports or --

REP. JOHNSON: Well, if they had more support or they had -- every teacher has -- say, they have -- we have one person testify, I asked this question, and they said, well, 10 percent of children in the classroom with disabilities would be too much for teacher to handle. So at that point in time, we may have some classes that have more, some less. I what point would you say that it is going to interfere with the learning of the other children?

DANIELA GIORDANO: Again, I don't know the -- I don't know about a percentage point but I do think it does make a difference to everybody in terms of, really, if we can and whatever percentage that would be, if we can actually provide support to the children that have a harder time for one reason or another, that actually would also teach the other children, in terms of -- actually, that we are all individuals and some people need more supports than others, but that we can, actually, through teacher training, through staff training to actually having people really raise awareness of issues that people sometimes deal with that we can actually really enhance awareness in the school environment for everybody, including people -- the children that have behavioral health diagnoses, as well as the children that don't, and to really include that kind of as a mutual learning process.

REP. JOHNSON: But at some point, there needs to be other things that the children learn. And if that's the only thing they're learning, then -- I think we're doing a disservice to the other children. Wouldn't you agree?

DANIELA GIORDANO: Right now, I'm thinking I said, as a basis, in terms of -- like, to be able to provide extra supports for some children and really putting that in the plan, part of the IEP of something that really works for this individual, and then having this be part of the classroom, but -- no, I mean, obviously, we want everybody to be able to learn.

REP. JOHNSON: Just -- just my feeling is, is that I don't think that it's the duty of the other children in the classroom to provide, you know, the support that that child needs. It's up to the education system and it's up to the -- all of us, as people in the state, to make sure that that child has access to the right kinds of care and to the kinds of educational services they require. But when it starts interfering with other children's ability to learn, then, in that circumstance, think that's something else must be done. I don't think they had the duty to take care of those kids. I think they have the duty to learn what they need to learn. And I think that we're -- what's happening, at least in my district, is that I think that some of the teachers are overwhelmed with the numbers of kids who come in there with emotional disabilities, and they have way too much that going on and not enough for the kids who are being left out, basically, because the time is being absorbed by kids with emotional disabilities. So that's my concern. I think that everybody should have the opportunity to be together, but I think that if we have all the kids with emotional disabilities, for example, in priority school districts, and very few in the outlying areas, then I think that what's going to happen is that we're not going to be able to address some of the things that are in the Governor's bill with respect to the achievement gap because those children are going to consistently be helping the kids with emotional needs, and their needs are not going to be addressed. So that's my concern, and I thank you so much for being here. I really appreciate it.

DANIELA GIORDANO: I really appreciate your concern, and I wasn't trying to suggest -- and I'm sorry if it came across like that -- that it's the other children's responsibility to make sure that everybody's needs in the classroom are addressed. It really is -- and we're really coming from, this is a team effort. This really needs to be, like you were saying, this is all of our responsibilities, especially the adults in the system, whether it's legislators, whether it's advocates, whether it's the parents, whether it's a school system, everybody in it, that we need to look at what works well for everybody without necessarily segregating children out, but also looking at what you were asking -- I think that's a really good question in terms of percentages, of what actually works within a classroom setting in terms of the number of children in the classroom total and how many children need extra support within that setting, and I will follow-up with that.

REP. JOHNSON: Thanks so much for your work.

Thank you, Madam Chair.

DANIELA GIORDANO: You're welcome.

SENATOR STILLMAN: Thank you, Representative Johnson.

Go right ahead, sir.

REP. LESSER: Thank you, Madam Chair.

And thank you for your testimony. I'm glad that you raised the issue of seclusion. It's certainly a very important issue for my constituents in Middletown. And I was just hoping that you could clarify some of what you said, you know, because one of the questions were looking at is whether or not, you know, and I guess in addition to whether or not there were inappropriate uses of seclusion, you're arguing that -- that there can't be any therapeutic value in an IEP for- for seclusion. I was wondering if -- if there --

outside of the -- outside of an IEP, if there ever -- if there was ever cause for certain actions that might be necessary from a behavioral perspective?

DANIELA GIORDANO: Thank you for the question. Right.

This is why we're not asking for banning the practice of seclusion. I really don't want to call it a treatment or an intervention because it really isn't. There are absolutely. There are really -- just like I was saying -- in terms of restraint, that's what we currently have. That it's only -- only to be used during emergency situations, which means that the child or youth is either a danger to themselves or to somebody else. But that would be an absolute. If everything else has been exhausted, if all the behavioral interventions that were either on the plan or that people know about that have worked before, have been exhausted and there is no other way to go, then, yes, putting somebody in a room that may give them an environment that really calms them down is absolutely a way to go, and it really needs to be like that last emergency resort.

REP. LESSER: Okay. I appreciate that and I -- maybe this is just a question of professional judgment. But, you know, when I speak to social workers in my district, you know, in schools that have exemplary reputations, some of them say that they swear that when they've had issues with children who are agitated, who may have behavioral issues that they find it helpful; that the kids find it helpful to, you know, be secluded for a while, be able to punch out, let's say, their frustrations in a bean bag, as a way of calming themselves down, and that the kids then say afterwards that they find that that was helpful. Now, that may not be, I'm not sure what the evidence-based research that, you know, says that that's a therapy, or a valid therapy is. There is probably none. I have no idea, but I guess I'm asking you, if that's something that you see any value to, or if you see that only in cases of, you know, extreme, you know, physical necessity that that might be -- that might be appropriate?

DANIELA GIORDANO: That is a really good question. I have not heard of this and I really, I always come from whatever works for people. And if that's something that works for somebody, I think that needs to be very much decided on an individual level. If -- I have heard testimony and I have heard women -- mothers -- speak about their children being put in seclusion which does not help, not the one time, not the fiftieth time. If we have a conversation about that, that actually works for them, and I actually -- from a personal perspective, I can actually understand physically getting something out of your system, that that actually would work, but if it's really being perceived more as a punishment versus something that really needs to be done in a moment to have things work for the child as well as everybody around them, then I think that's a different conversation. That's something that I think can be explored more, in terms of if social workers really find it helpful, and the families and children do.

REP. LESSER: And I really do appreciate and that I think that that's a great takeaway because as I'm trying to learn about this practice, clearly, there are cases in this state where they have been abuses, perhaps gross abuses, where this is a way of avoiding dealing with children's issues, rather than try to treat them. And I just would hope that as we look for legislative remedies that we are mindful of that fact that in some cases there may be some value. I'm not quite sure whether that's the case, but I want to be careful and tread lightly in case there is, in some cases, this may be helpful for folks that are trying to do their jobs and do mean well, and were trying to help kids out so thank you very much.

DANIELA GIORDANO: You're welcome.

SENATOR STILLMAN: Thank you, Representative Cook.

REP. COOK: Thank you, Madam Chair.

Thank you so much for your testimony. As you know -- well, I would assume that you know -- that the IEP bill came from a task force that had met for months and months over the last legislative, you know, through the last legislative session and I think that we had heard testimony in a variety of different arenas, from a variety of different people, experts on the likes, parents as well. You support the bill, and I thank you for that, and I understand that your concern is the seclusion and not to be in an IEP. You had just stated though that if works for certain students -- or certain children, and each individual case is obviously just that. It's individual for that student. Would you support at all, this being written to an IEP for certain cases? Or you're saying that you're totally against that as a whole.

DANIELA GIORDANO: See, I have never heard that it is actually something that has worked. In terms of, like, the research that we looked at, and the people that we spoke to, both people who have done studies, as well as parents, it has never actually come up as really a practice that actually works, that, really would go beyond emergency use for it. So I think that's something that we just need to look into more in terms of data, whether it is anecdotal or whether it's research data on that. So I really wouldn't make a judgment on that right now.

REP. COOK: Okay. Because my son has an IEP, and I believe that it's individual for him, and if the right people are sitting around the table -- don't misunderstand -- I'm not saying I support it or that I'm against it. I'm saying that I think that we need to be a little bit more broad in our thinking when it comes to that individual child. I think that there is a lot of things that are out there that are done wrong, that was why I legislated the task force a couple of years ago anyway because I think the whole system needs an overhaul when it comes to IEPs, PPTs, and the whole thing.

But I do think that when we limit ourselves to say "never," then that becomes a problem if there ever has to be. And so I'm -- I guess, I'm looking for a way to possibly leave an option open, if needed to be. And in your testimony we're pretty, definitely, no way.

DANIELA GIORDANO: And that is something, like I said, I think we need to dig in more deeply, in terms of really having their certain states that either really -- limit it to emergency situations, or some of them actually completely ban it. And that those states must have done something, and I haven't really dug down in terms of what that exactly looks like for them, but there is eleven states that fall into this category, that have done something, that actually works for their system, to have it, like this, in their legislation in their laws.

REP. COOK: And I'm going to look at that. I was looking at your footnotes, and I think that that's something that is very intriguing to me. The other thing that I wanted to just touch base on, is it says here that in limited surveying done by the State of Connecticut, et cetera, et cetera, 18,000 incidents of restraint and seclusion were used in public schools. Do we know the amount of districts that were surveyed and the amount of students -- or the amount of schools that this 18,000 falls into? Do you have that information?

DANIELA GIORDANO: I actually don't know off the top of my head but in terms of -- when we go back to this, it came from the State Department of Education, that report, that number of 18,000. And I think everybody I'd spoken to, everybody that I'd heard agrees that this is incomplete data, and yet, it is still a stark number. And that is why we really need better data collection and also analysis of what that looks like. If that, for example, is concentration in school districts; if that maybe has something do with all the other things that education reform is really touching

and reforming in terms if there is interconnections. This is not an isolated thing in terms of special education IEPs.

REP. COOK: So that --

DANIELA GIORDANO: The answer is --

REP. COOK: -- that survey, did you -- is it linked right on their website? Is that how you got the information, or is it --

DANIELA GIORDANO: I actually got this -- it was actually also quoted in two articles, newspaper articles. One just recently, I think in January, and one I think last year when it first came out. So I haven't gotten it directly from the site, but I could definitely get that to you.

REP. COOK: That would be helpful I think the committee would be very interested in that. And so we are thinking that that data is at least a year or two old at that point, too, as well?

DANIELA GIORDANO: It's 2009 and '10 that school year, 2009 and '10.

REP. COOK: Thank you so very much for your information and your work on this.

Thank you, Madam Chair.

SENATOR STILLMAN: Thank you, Representative.

Anyone else have questions?

Thank you.

DANIELA GIORDANO: Thank you.

SENATOR STILLMAN: Roch Girard, Roch Girard?

John Bailey, to be followed by Jennifer Gadow, and Sarah Esty.

Welcome.

JOHN BAILEY: Welcome. And I believe it's good evening, maybe?

SENATOR STILLMAN: Well, don't remind us.

JOHN BAILEY: Apologies, apologies. I'm not starting on the best foot.

Good evening, Senator Stillman, and representatives -- or members of the Education Committee. My name is John Bailey, state director of government relations of the American Heart Association, and I am here to comment on HB 5349, AN ACT CONCERNING THE INCLUSION OF CPR AND AED TRAINING IN PUBLIC SCHOOL CURRICULUM. Roughly 383,000 people in this country have cardiac arrest outside of a hospital each year. And nearly 90 percent of these victims die because they do not receive timely CPR. Here in Connecticut, the Center for Disease Control reported that of the cardiac deaths reported in our state, 70 percent of those deaths result from sudden cardiac arrest. If given right away, CPR can double even triple survival rates and significantly reduce these sobering numbers.

HB 5349 goes a long way in making certain lifesaving CPR skills are taught to our school children. Over 30,000 students graduate from high school each year. Imagine. The state producing 30,000 first responders, every year, giving arrest victims the immediate help they need to survive until EMTs arrive.

They are plenty of amazing stories where young adults have saved lives by knowing what to do in those precious moments following cardiac arrest. Just last a week a 16-year-old in Florida saved the life of a tourist who fell victim to a heart attack. The young man learned CPR at his high school. Lifesaving CPR

skills can be taught in a minimum amount of time. According to the latest science, trainees, including school children, can achieve acceptable levels of proficiency in adult CPR, in 30 minutes or less. Schools can now teach hands-only CPR. Hands-only CPR is CPR with mouth-to-mouth breaths. The American Heart Association would hope that instruction would have to be based on nationally recognized guidelines that include hands-on instruction, but would not have to require certification.

I have also submitted, today, testimony from a 17-year-old Ellington high school student, Meagan McGuire, who is the president of the Ellington Rescue Post 512. Meagan could not be here today but she asked me to convey her support for this bill. In her conclusion she says and I, quote, We may not be old enough to legally make our own decisions, but we, as young adults, as students, and as citizens, count on our lawmakers to put in our hands the tools to better our world we live in.

I could not have said this better. I look forward to working with committee members to ensure our students are taught CPR and AED training. With the passage of HB 5349, today's students, tomorrows adults, will know what to do in life and death situation. Thank you for your time, happy to answer any questions that you might have.

SENATOR STILLMAN: Thank you very much, sir.

Questions anyone?

Representative Fleischmann.

REP. FLEISCHMANN: Thank you, Madam Chair.

And that you very much for your testimony. Obviously, in an area like this, one of the first questions people ask is, What's happened in other states and was

it costly? So I just want to give you chance to answer that.

JOHN BAILEY: Well, there is one state that has passed the CPR as a graduation requirement in high school, and that's in Iowa. But what we are now advocating for in Connecticut, also in Vermont, and New York, is that we are not asking for certification to be part of the, I guess, the training and what comes with the certification comes expense. So because the additional hours it takes to achieve that level of expertise. The American Heart Association believes that if students are allowed to review informational video -- and this is critical part of it, actually put hands to hands training on, during the curriculum that that will be enough to be able to save lives on the street.

REP. FLEISCHMANN: So, if I hear you correctly, you are talking about watching a video that's maybe half an hour in duration and then hands-on training with a dummy that might be another half hour so an hour of class time, roughly.

JOHN BAILEY: Well, actually, less. I mean, you can watch the video for 20 minutes, and then once you partake in that hands-on compression training, which lasts about 10 minutes, then you are pretty much ready to go. I mean we actually have an example of a story of a young high school student in Jersey, who -- she actually failed health class that was part -- that had CPR as a graduation requirement, but a year later, she actually saved a life because she still retained the knowledge that she learned in that class. So as long as they are exposed and actually go through the hands-on training they are more likely to jump in when there is a time for CPR.

REP. FLEISCHMANN: Well, we certainly don't want to encourage kids to fail their health class, but it is encouraging to know that even the F students can save a life. So what would be terrific would be if you

could get some of the information on the duration of the video, the duration of the training on the dummies, maybe whether those dummies are provided by your association or others gratis, or if not, what the cost might be. And if you could get that maybe to our Office of Legislative Research or our Office of Fiscal Analysis, that would be really helpful because one of the things that's an impediment on moving forward on something like this is, typically, concern about cost, and if we could show that this is either low cost or no cost, maybe we could get it done, which would obviously save lives. And when people talk about cost, you know, if we saved just a single life, you know, how much is that worth. So I thank you for what you and your association are doing.

JOHN BAILEY: Thank you.

SENATOR STILLMAN: Thank you, Representative.

Anyone else?

Representative Davis?

REP. DAVIS: Thank you, Madam Chair.

Along the lines of the certification issue, I know certifications are provided by various organizations. Is there going to be any type of liability issue with noncertified students who may in a position where they may perform CPR and do it incorrectly and possibly are unable to identify whether that person needs of CPR or cause some sort of damage to ribcage or sternum, and so on.

JOHN BAILEY: I believe our Good Samaritan Laws cover issue. And that the same time, if an individual is having cardiac arrest, a broken rib or a broken -- couple broken ribs will go a long way so, having a life saved. But, yes, I believe the Good Samaritan Laws cover that issue.

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REP. DAVIS: Thank you.

Thank you, Madam Chair.

SENATOR STILLMAN: Thank you, sir.

Anyone else?

Thank you very much.

JOHN BAILEY: Thank you.

SENATOR STILLMAN: Jennifer Gadow, followed by Sarah Esty,
and Sharon Palmer.

Welcome.

JENNIFER GADOW: Good evening, Senator Stillman,
Representative Fleischmann, and distinguished members
of the Education Committee -- sorry -- sorry. Okay.

Good evening, Senator Stillman, Representative
Fleischmann, and distinguished members of the
Education Committee, I am Jennifer Gadow a graduate
student at the University of Connecticut, School of
Social Work, and I am testifying in support of Raised
House Bill 5352, AN ACT CONCERNING STUDENT CENTERED
LEARNING. I am currently a second year Master's of
Social Work Student at the University of Connecticut.
During my time with this program, I have been studying
policies that will benefit different populations,
including the homeless, veterans, and military
families. My involvement with military families has
both been professional and personal. I am a military
spouse, and we have two children that are currently in
the public school system in Connecticut. Although I
am testifying as a graduate student today, I am also
testifying as a military spouse and parent.

Through my own experience, I have found that children
who move frequently often suffer because they are
continuity of care in school is often disrupted.

Often military families do not get to control when they will be moved to different regions, and often we find ourselves having to pull children out of school in the middle of the school year and place them in a new one. We moved to Connecticut the day before school started in 2008. Our oldest child was then in third grade and, unfortunately, she had little to no time to become familiar with the area or the school before starting. Additionally, the system here is very different to the school system she was used to. The first few months were tough. She lagged behind here in areas she had excelled in there, such as reading. If we had had the opportunity to have student-centered learning, I truly feel her transition into the current school system would have been smoother all the way around. Her anxiety levels would not have been as high due to being behind the other children, and I strongly feel this would have helped her to adjust sooner to the children in her class and the school. From our own experience, we have seen the frequent destruction in education take a toll on the child grades, as well as emotions. The opportunity to be involved in a school system that promotes a personalization of learning would benefit all children and particularly those in military families because it would offer them the opportunity to have their personal educational needs met, versus the educational needs of the many.

Often military children are stigmatized and, at times, they can be seen in schools, in how they handle the specific issues military children deal with, such as frequent parental deployment and moves. The personalization of learning will allow these children to feel that they are being heard and their educational needs are met. I support House Bill 5352. I thank you for the opportunity to present this testimony.

SENATOR STILLMAN: Thank you very much. As someone who represents an area where the naval base is, I really, quite frankly, hadn't thought about it in terms of the

military families. And I know that it is a big issue as those families move in and out of the area. We happened to have a new educational council now, to try and work with school system so that they understand some of the difficulties that the children have. So thank you very much for reminding us about that very important problem that really does exist in some families. I appreciate the work you are doing, as well, in getting your master's as well.

JENNIFER GADOW: Thank you.

SENATOR STILLMAN: Questions from anyone?

REP. JOHNSON: Thank you, Madam Chair.

And thank you for your testimony today. I just wanted to ask you if you had familiarity with some of the other -- I'm sure you do -- difficulties aside from transitioning one area to the next. Military families also perhaps have more trauma associated with their families than other families because of their family members going overseas, being concerned about their well-being, and that sort of thing. Did you have information on that? And does that differ from the individual plan?

JENNIFER GADOW: It would. It should fit into the individual plan. There is a lot of trauma associated with deployment. Fortunately, there are groups and activities and support, through the naval base, but not everybody knows about it and the schools -- they do not have a lot of support systems for the children who do have parents who are deploying or returning, or any of that. So it would be nice to have some kind of support through the school system. And, technically, right now, there isn't any.

REP. JOHNSON: Thank you, thank you so much.

Thank you, Madam Chair.

SENATOR STILLMAN: Anyone else? Thank you, again.

JENNIFER GADOW: Thank you

SENATOR STILLMAN: Good luck.

Sarah Esty, followed by Sharon Palmer, and then Dr. Seth Lapuk.

SARAH ESTY: Good evening, Senator Stillman, Representative Fleischmann, and members of the Education Committee. My name is Sarah Esty, and I am testifying today on behalf of Connecticut Voices for Children. I would like to speak to you about two bills tonight, Senate Bill 300, AN ACT CONCERNING EARLY CHILDHOOD EDUCATION; and House Bill 5350, AN ACT CONCERNING ACHIEVING UNIVERSAL LITERACY BY GRADE 3.

We would like to support Senate Bill 300, which would phase in universal access to preschool through the school readiness program over the next five years. There is great unmet need for access to affordable, quality early care programs, and the proposed bill would address this issue. We've laud this bill's recognition that the need exists across all of Connecticut's 169 cities and towns, not just the 19 priority and 45 competitive school districts that are currently able to access school readiness funding. There are about 10,000 three- to four-year-olds in struggling families without access to state subsidies for early care.

Research shows that high quality early care programs help close the preparation gap for low income children and are critical to close and racial and economic achievement gap in Connecticut. Furthermore, using the school readiness program as a vehicle to expand pre-school is a good choice because the school readiness programs already provide high quality care, including rigorous credentialing and accreditation requirements for teachers in programs. We would like

to note that school readiness was created in 1997 to address concerns about segregation and access to early education, and so we hope that there would be attention to making sure this bill is implemented in such a way that it continues this trend and does not lead to economic and racial isolation as preschools expanded across the state.

We also support the goals of House Bill 5350, which seeks to promote literacy for all children. We strongly support this bill's inclusion of research-based literacy training for teachers who work with children, birth to five. We would, however, recommend amending the bill's provisions on curricular alignment, year-end transition planning, tracking of students year to year, and parental engagement to include children in pre-school in addition to the bill's current focus of kindergarten through third grade.

Finally, we would like to urge that the committee be careful in the implementation of the bill and, perhaps, add language to this effect, to ensure that assessment and curricula changes are developmentally appropriate. Extensive research shows cognitive emotional, physical, and social benefits to children from play and other developmentally appropriate practices. And so whether or not this bill is expanded to cover pre-school, we think it is important that the committee make sure that practices for kindergarten through third grade be developmentally appropriate. Thank you.

SENATOR STILLMAN: Thank you very much.

Questions anyone?

Thank you. We appreciate your input.

Good timing.

Sharon Palmer, followed by Dr. Seth Lapuk, and Michelle Doucette Cunningham.

Welcome.

SHARON PALMER: -- president of AFT Connecticut, and we are a union of 28,000 members here in Connecticut. The first two bills I'm going to speak on are extremely important for closing the achievement gap. The first is SB 300, regarding early childhood. We just simply want to add our voice to chorus of support for this bill. I think you have heard all the arguments and all the reasons why it is so very important, and we hope that you will support it. We, quite frankly, would like to see the number of slots reversed between charter schools and early childhood. We would much prefer to see 2,000 going to early childhood and not so many to charters.

On 5350, this is another major piece towards helping close the achievement gap. We all know that if a child can't learn to read by the end of the third grade that it's very difficult for them to catch up and succeed after that. So again, we would urge your support of this bill.

Couple of mentions, we would like to concur with the testimony of our president and our SEFT, Local 5350 -- Bill 5351 on the vo-tech schools, and you'll hear from one of our members, Verna Bernard-Jones, in a short while on the school nurse bill. She is a school nurse in Hartford, and we hope that you give that strong consideration.

Lastly SB303, concerning boards of education, it is a bill we strongly urge you to reject. You may recall we also urged you reject similar language in SB24. We believe it is heavy handed and takes away the right of duly-elected officials, primarily in urban centers. One popular phrase today is that education is the civil rights issue of the new century. We have heard it over and over, and it may be true; however, we

think you should beware of anyone who speaks on one hand about the civil rights of children, while on the other hand, supports taking away the civil rights of the children's parents, relatives, neighbors and community. What message does that send? What lessons do that children's, children learn? Reject this bill.

We suggest you look at a partnership model, similar to the special master legislation in Windham. This model respects the community, while offering significant assistance and direction to the local district. And, again, thank you for listening and taking time. It's been some long days for you folks.

SENATOR STILLMAN: Thank you very much, and for you as well. We appreciate everyone's participation in this lengthy process. And, certainly, your support or not of the bills that are in front of us certainly adds to our consideration.

SHARON PALMER: Appreciate that.

SENATOR STILLMAN: Thank you very much.

Questions anyone?

REP. FLEISCHMANN: Thank you, Madam Chair.

And thank you for your testimony. I have to admit I was a little caught off guard but your testimony on Senate Bill 303, and it is for this reason. So we have a statute on the books that says if the commissioner thinks that there is a board is in some way impeding the implementation of a turnaround plan for a district, he or she may seek to retrain the board. And if, and only if, that retraining does not lead to inherence with the turnaround plan then the commissioner might consider reconstitution. And that statute is -- you know, the plan English for what is on the books. The Supreme Court had a case before it -- well, last fall, that it decided last week where it said that Bridgeport's reconstitution where there was

not any retraining, was contrary to statute. It was thrown out. And so the elected board is being returned there. All this bill would do is would ensure that if there were a commissioner who, actually, fully followed the law, which it's -- it's not like something that's a snap decision. It involves a lengthy process and a lot of thought on the part of commissioner -- and I'm sure the governor under our current statute. If that law were properly followed, then you have a clear process for what happens with balloting subsequent to that. So if we did not pass this and we left statute exactly as it is, you would end up with the same mess you had last fall in Bridgeport, where no one knew whether or not there was going to be an election. So why would you oppose a bill that fills a gap that exists in current law, where people don't know what to do?

SHARON PALMER: What I am speaking about is the larger picture here. I understand what you are saying. I think there are other solutions, other than taking away people's civil rights.

REP. FLEISCHMANN: Well, I just object to the way you characterized that because this bill has nothing to do with taking away people's civil rights. This bill has to do with making clear when it is that people get restoration of their voting rights. The statute is what you are objecting to, the statute is not what we are hearing today.

Moving to a different bill that you testified on.

SHARON PALMER: Well, if I may --

REP. FLEISCHMANN: No. I didn't have a question there. I'd like to move on to a different bill.

SHARON PALMER: I just like to say that I respect your opinion, but it is not ours.

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REP. FLEISCHMANN: Just to be clear, we have public hearings on bills and that bill before us is about when people get back their right to vote. It is not about the statute, which we are not hearing today.

We're looking also at the bill you brought up, Senate Bill 5351.

HB5351

SHARON PALMER: Right.

REP. FLEISCHMANN: The main difference between that bill and the law that we have before us is that the bill ensures a budget process that looks like the budgeting processes most of us see at most schools in Connecticut. I am just wondering if you could elucidate what the impact is on the children in the VT schools and your members have the current top-down system where a principle gets informed at the 11th hour what the budget is going to be for their school.

SHARON PALMER: I can't answer that question. I would differ to Jan Hochadel, who's president that local. I think, as general rule of thumb, our union likes to see a collaborative process, I'm not sure that that's happening in this instance.

REP. FLEISCHMANN: Thank you.

SENATOR STILLMAN: Anyone else have any questions for Sharon?

Oh, Representative Johnson.

REP. JOHNSON: Thank you, Madam Chair.

Thank you for your testimony today.

SHARON PALMER: You're welcome.

REP. JOHNSON: I just want -- I appreciate your comments regarding special master because I think that that is legislation so far that the community is having an

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appreciation for it. And it did keep everybody in place, unlike what happened in Bridgeport. And I likened it to, kind of like surgery. Instead of massive change, which really can be disruptive. I just wonder if you could just, you know, tell us a little more about what your thoughts were about this special master versus the --

SHARON PALMER: Thank you. It's a very different process. As you know being from Windham, the local board of education stays in place. The special master does have extensive powers to determine what the board of ed considers and works on. There is an agenda, which is presented, so to speak, by the special master, but the deliberation and the discussion is both with the community and between -- or among, I should say, the board of education members. The involvement of the local teachers' union is also respected. Collective bargaining is respected, and the community, quite frankly, is just not run over, as you would see in the other model.

REP. JOHNSON: I think the other thing that I found interesting was that in Bridgeport, they appointed people from out of -- out of the district.

SHARON PALMER: That's correct.

REP. JOHNSON: Whereas, we have people in the district. So thank you, so much for your testimony. And I just have to publically thank the co-chairs of this committee for their work in helping me develop this special master legislation, because they were instrumental in doing that and much appreciated.

So thank you, thank you so much, thank you, Madam Chair.

SENATOR STILLMAN: Thank you.

Representative Holder-Winfield

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REP. HOLDER-WINFIELD: Thank you, Madam Chair.

I just want to go back to the conversation that took place after your testimony about the taking of the rights of the parents. I'm open to anything, but I'm not quite sure how, to Representative Fleischmann's point, how this bill -- I know it changes some of the operation, but I am not quite sure how this bill changes the rights in a way that's substantially different than what could already be done so if you could just explain to me your prospective.

SHARON PALMER: Well, and as I said, I do appreciate Representative Fleischmann's concerns, and my objection is to the statute, in essence. I don't believe that anybody should have capacity to take away the rights of an individual to elect people from their community to any board or any office within a city or town. That is the position of our union.

REP. HOLDER-WINFIELD: Okay. Thank you.

SENATOR STILLMAN: Anyone else?

Thank you very much, Sharon. Good to see you.

Next, Dr. Seth Lapuk. And I apologize if I mispronounced your name.

SETH LAPUK: Nobody gets it right.

SENATOR STILLMAN: Michelle Doucette Cunningham and Mary Loftus Levine.

I'm sorry what was that? I was too busy spouting other names.

SETH LAPUK: Nobody gets it right.

SENATOR STILLMAN: Ah, gee, I was hoping to be in the minority. Welcome, sir.

SETH LAPUK: Senator Stillman, Representative Fleischmann, members of the Education Committee, thank you for allowing me the opportunity to testify in support of HB 5349.

My name is Seth Lapuk. I'm a pediatric cardiologist at Connecticut Children's Medical Center. The director of the Echocardiographic Lab, and associate professor of pediatrics at the University of Connecticut, and president of the -- excuse me -- North Central Connecticut Board of the American Heart Association.

Two paramount reasons CPR and defibrillator training should be promoted in the schools are to train our citizenry in simple lifesaving techniques and to try to positively -- positively affect the outcomes, not only of the general population but of the school population, specifically. My colleagues and I are too familiar with the tragedies of sudden unexplained death -- unexpected deaths in students in Connecticut, along with the adulation we have for citizen bystanders that have saved children's lives through appropriate rescue responses.

I can quickly recall three of these great events and one recent terrible one. In January of this year, a 16-year-old wrestler in New Britain was warming up for practice, with a run around the gym when he collapsed. His dire condition was quickly recognized by his teammates and coach, bystander CPR and defibrillation was initiated. He is now back to school without any deficits. In 2006, a 17-year-old varsity basketball player in the bleachers at a local basketball camp, slumped over, pulseless. Bystander CPR and defibrillation was quickly initiated. He was diagnosed with hypertrophic cardiomyopathy, and is now vocal advocate for CPR training in the schools.

A few years back, three boys were playing Frisbee in South Windsor. One collapsed and his friends quickly assessed the situation with clear thought and quickly

ran to a nearby police station, defibrillation was administered in the field, he is alive and well today. Unfortunately, this is not always the outcome. Three years ago, another high school basketball player from South Windsor was practicing at school, collapsed and died. Autopsies showed that, him to have a congenital abnormality of his coronary artery. Becoming acquainted with his family was screening his siblings over the next months illuminated the impact that these, although rare, devastating events.

Of course, cardiac arrest can and does happen much more frequently outside the pediatric population. Nearly 383,000 times per year outside of hospitals. Fewer than one in three of these victims receives bystander help. The chance of survival drops 7 to 10 percent for every minute of delay. Currently, only 11 percent of those with an out-of-hospital cardiac arrest survives. The survival rates have been shown, however, to double in areas where cardiac emergency response plans and automatic external defibrillators are available. Even CPR without mouth-to-mouth ventilation has been shown to be effective in improving survival. Any previous training has been shown to increase bystander CPR by sevenfold.

By training school children in CPR, they will become a million more CPR-trained adults every few years significantly increasing the rate of bystander response to these medical emergencies. Last year, the American Heart Association released its latest science advisory train regarding CPR training in schools. This provided a clear description of how even limited training programs, some as short as 30 minutes, can result in achieving significant competencies in recognizing emergency situation and defibrillator use.

It stresses the importance of psychomotor skills and highlights the effectiveness of hands-only resuscitation. Such training programs can and have implemented across the country. 2004 American Academy of Pediatrics statement suggest that schools should

establish a goal to train all students in CPR. This goal should be turned into a reality. Thank you for your time and consideration.

SENATOR STILLMAN: Thank you, Dr. Lapuk. Did I get it right this time? Thank you. Glad my speech training and hearing is working.

Quick question for you since you are a pediatric cardiologist, we hear more frequently over the last few years about our young people having a least -- unless were just tuned into it more, but hearing about them cardiac issues. Is there any research that you are aware of or anything? Is this -- is this a reflection of the times, of the environment, or is there any rhyme or reason to this?

SETH LAPUK: There is a tremendous amount of research out there regarding this. And I think a lot of it, however, is it still a tremendously rare event on the order of getting struck by lightning. And, however, we are more attuned to it. If an athlete dies in Indiana, we hear about it in Connecticut. There is -- it is real, it is tragic, it does happen. My best estimate in Connecticut maybe once every few years, or -- to a couple times a year. The leading causes in America, in the American population is -- leading cause is hypertrophic cardiomyopathy which is a genetic abnormality abnormal coronary arteries, and then it's because of the rarity that the statistics get a little shaky. It's different in different populations. In Italy, there's a whole other group of genetic issues.

SENATOR STILLMAN: So for the most part this is -- you see this more as a genetic rather than environmental?

SETH LAPUK: The sudden death in athletes and in young -- young adults, yes, it's almost all of the sudden unexplained deaths in athletes who are otherwise healthy children, not children with known cardiac diseases, congenital heart disease, they are typically

a cult of genetic abnormalities or structural abnormalities that were not known about that are extremely hard to screen for. There's a tremendous body of literature out there, would screening EKGs of all students be helpful?

SENATOR STILLMAN: I doubt that.

SETH LAPUK: Would ultrasounds on every child, that some people advocate, there's a huge amount of data. The excessive cost of that and how much bang you would get for the buck. And there's controversy, to say the least, in that among -- in the community, as a whole. The American Heart Association, as of this year, does not advocate more than history taking and physical exam finding.

One acute problem is that you might have a completely normal screen at one point in your life, but because the genetic phenotype, the genetic markers, don't manifest until later, it would be hard to know and the -- the unexpect -- the unintended consequences, such as restricting enormous number of people with false positive tests might have a more deleterious effect as long as they're being looked at.

But that's not the issue that the -- I think the main goal of the CPR training in school, not only to save those rare cases, but to educate, make the population, the citizenry, comfortable with -- if you're at, you know, an airport, or in the mall and you see somebody collapse, to not be afraid of grabbing the automatic defibrillator and using it appropriately, using CPR.

Somebody asked a question earlier regarding is it -- I think it was Representative Davis -- is it effective just hands-only CPR training? And that the American Heart Association and the resuscitation courses that we are involved with, that's the current now recommendations are for lay -- the lay bystanders to do just hands-on CPR, if you're not comfortable doing

-- or if you're not trained in mouth-to-mouth also. And the survival rates are improved considerably.

SENATOR STILLMAN: Thank you. That's very helpful. We -- we understand that the point of this is not just for young people to help their fellow young athletes or whoever in their schools but, certainly, to make it part of their -- as far as I'm concerned -- their health education so that as they go through life, and if -- if a situation occurs, that hopefully, those, you know, opportunities to learn something early in life will be embedded in them and they know. They won't feel as frightened to jump in and help.

I know many times we think if we're helping by doing it, something that actually is hurting someone, and so this type of education, I think, would be extremely, extremely helpful.

But getting back to my other question, is there -- is there any testing that would be done as an infant, a newborn, there's so many new tests that are being actually asked of this General Assembly to authorize for newborn screenings -- I serve on the Public Health Committee, too -- that I was wondering is there anything in newborn screenings that could alert a parent or a doctor to something later in life?

SETH LAPUK: There are -- there are -- there's new guidelines from the American Academy of Pediatrics and American Heart Association after extensive fiscal or financial analysis about saturation monitoring in newborns to pick up congenital heart diseases that would present in the first weeks or months of life life-threatening abnormalities that might have already otherwise gone unnoticed. As far as screening newborns now for future abnormalities, there are some genetics -- it's a little difficult in that sudden death of an athlete is not caused from one or two particular abnormalities. There's, in fact, the leading cause hypertrophic cardiomyopathy, is --

there's, I think, at last count over 1,000 gene defects in dozens of genes that fall under the umbrella name of hypertrophic cardiomyopathy. I predict that in the future we'll -- we'll -- when we're a lot smarter, we'll know this is, well, you know, myosin heavy chain X abnormality, and there will be a gene test for that specific thing. You can test for some of them. In another series of abnormalities a long QTc syndrome, there are genetic tests that -- although quite expensive -- are quite useful in selected population to use them and -- so you could use that as a blanket screen for newborns.

It gets about 75 percent of those. But in the general population, I think the rate is so rare -- I'm not at all an expert in the statistics and the cost-effectiveness of those screens, but the saturation screening because it's safe, inexpensive, very low false positive rate, and the consequences of a false positive rates are not that onerous has been determined to be a very reasonable step.

I'm unaware of any screening, like, say, for the cystic fibrosis gene or where they have single or narrower gene mutation abnormalities that can -- that can have more focused -- and at an intervention can be done that would just knowing about the problem, might not -- unless as a therapy, or an alteration in care they're going to be providing, those issues would need to be -- I would think, would need to be taken into consideration.

SENATOR STILLMAN: One last question about this, you -- it rolls off your tongue what --

SETH LAPUK: I'm sorry.

SENATOR STILLMAN: No, no. The --

SETH LAPUK: Hypertrophic cardiomyopathy.

SENATOR STILLMAN: -- cardiomyopathy. Is -- since it's genetic, if a parent or a grandparent has heart disease or had an early heart attack, would that help in terms of -- I know it doesn't always pass from generation to generation, or it can skip -- I know genetics are -- are fascinating, but I was wondering if that could be of some help as we put together a history of a child?

SETH LAPUK: Coronary artery disease or heart attacks, strokes, things like that, would not be helpful identifying who would be at risk for the hypertrophic cardiomyopathy. Clearly, if there was first- or even second-degree relatives with that diagnosis, and again, that's somewhat of an umbrella diagnosis, would very well be helpful.

And we often screen when a parent finds out that they have hypertrophic cardiomyopathy from a (inaudible). We screen -- we advocate screening those children, not on a genetic -- not with a genetic test but by examining, ultrasounding them. Unfortunately, they can manifest later in life, or they can manifest earlier in life. And it's very -- it's not an A goes to be B, will go to C. It's -- there's a lot of people a lot smarter than myself are spending their careers trying to get at just what you're asking, how can we screen for those.

SENATOR STILLMAN: Thank you very much.

Representative Fleischmann.

REP. FLEISCHMANN: Thank you.

Some very brief follow-ups. First, regarding hands-only CPR, I thought I read recently that there was a study done with a very large (inaudible) in Japan that demonstrated that, in fact, hands-only CPR is just as effective as -- as resuscitation that also involves mouth-to-mouth; is that not the case?

SETH LAPUK: Again, it was -- I'm marginally familiar with that article. And I don't -- I can't speak directly to it, though.

Clearly, if you can -- circulation is the most important thing to reestablish. And the vital organs of our body are very good at pulling those last -- the scarcer and scarcer oxygen molecules off of blood if you are able to get circulation. It somewhat depends on what the arrest was from. So an arrhythmogenic, a rhythm abnormality cardiac arrest where the heart rhythm gets very chaotic, hands-only CPR will reestablish to a great degree the circulation while you're waiting a defibrillation with an AED.

If in -- in certain populations of children, children typically will -- because their hearts are much healthier -- typically arrest from a respiratory compromise, and therefore, respiratory CPR might be better. And if it's prolonged, then chest compressions only might not do the trick. So it's a mixed bag.

REP. FLEISCHMANN: Depends on the situation.

SETH LAPUK: Yes.

REP. FLEISCHMANN: Okay. The other quick follow-up, so for children who go into arrest suddenly while playing kickball or something like that. Is hands-only resuscitation still helpful, even though there's a genetic abnormality that's the underlying cause? Does that effort at resuscitation during those opening minutes improve the child's chance of survival?

SETH LAPUK: Absolutely. The sort of the end point to any of these genetic abnormalities, the long QTc syndrome, hypertrophic cardiomyopathy, commotio cordis, which is where you get struck, very -- like a lacrosse ball or a hockey puck, they trigger in an arrhythmia, and that's what eventually leads to death. So hands-only CPR will reestablish the cardiac output while you're

awaiting -- and sometimes the arrhythmia will convert back to normal rhythm on its own, but what's clearly also been shown is the use of the automated -- automatic electrical defibrillators, the external defibrillators, AEDs, to -- to reestablish the normal rhythm. So the combination of the two is -- is clearly the most important thing, and, yes, regardless of what the cause is as long as it wasn't a traumatic or a rupture of an aorta, which occasionally happens, then it would work.

REP. FLEISCHMANN: Gotcha. Thank you, that's very helpful. And you know, you anticipated my subsequent question. I actually am more concerned -- I think it's more common that there is that circumstance on the lacrosse field where a perfectly healthy 16-year-old gets a hard hit of a lacrosse ball in the wrong spot on the chest and it sends them into defibrillation. And there was a boy out in Long Island who died from that and one of the reasons that this bill is before us, is because in New York state, they started moving toward broader dissemination of this kind of education after that boy died, and they named the bill after him. And my view is in Connecticut, we ought to be able to pass a law before any child dies. So I thank you very much for your good testimony of your good work.

SETH LAPUK: Well, thank you very much for allowing me to speak.

SENATOR STILLMAN: Thank you, Doctor.

Anyone else have any questions?

REP. SRINIVASAN: Sure.

SENATOR STILLMAN: Yes, Dr. Representative Srinivasan.

REP. SRINIVASAN: Thank you, Madam Chair.

I definitely agree that in your opening comments that the more of us, the more people that are trained and

comfortable in CPR and in the use of the AEDs the better off we definitely are. I definitely concur with that.

A couple of questions for you, at what age did you have in mind that you would start at the school level?

SETH LAPUK: The AHA is recommending that it be, sort of, a graduation requirement at high school. I don't think we've mandated at what tenth, 11th, 12th grade. The children need to be big enough to be able to -- you want them to be mature enough to understand -- to handle the -- the training.

REP. SRINIVASAN: Correct.

SETH LAPUK: Also big enough to be able to adequately perform what they're being trained. And there is some research that suggests once you're -- I believe it was -- I'd have to go back to the statements -- I think nine, ten, 11, or young adolescents, but I would think we're looking at high school graduation by the time you're done. I would defer to others to -- that might have a better idea of -- on that.

REP. SRINIVASAN: So if I'm hearing you right, you're thinking of somewhere as a junior or a senior, during that age -- that phase of their school?

SETH LAPUK: I suppose it could easily be done anywhere between junior high or high school in that range. I think at any point. I suppose the younger you start, the more children -- another side benefit would be a certain number of those children would want to take it further become certified and take the training further and the earlier you start, maybe the better that would be. But it can be -- the products or the methods and they're many out there, can be started at a relatively young age.

I recall learning CPR first when I was getting my junior lifesaving badge. I couldn't -- at a local

town pool, I couldn't have been more than 13, I think.
So --

REP. SRINIVASAN: And, Madam Chair, if I can ask one more follow-up question?

SENATOR STILLMAN: Yes.

REP. SRINIVASAN: You have -- you had mentioned that a course, like this, could be done in school within a half an hour period of time. And I was a little bit -- did you have in mind an abridged version that could be done in a half an hour?

SETH LAPUK: The -- I'm sorry --

REP. SRINIVASAN: No. To conduct a training, a class within a half an hour time frame, I thought maybe a little too short to have such a class, and I wasn't sure what you had in mind when you said it could be done within a half an hour.

SETH LAPUK: Well, I'm not, by any means, an expert in CPR training or CPR -- CPR training of children. The -- there are and there have been studies with modalities one of which is called the -- I don't have the name right off -- hearts safe model, which is a half hour video with hands on, psychomotor skills training with a dummy. Clearly, a larger program will have better results in training children, absolutely.

This is somewhat of a, sort of a, maybe a first bite at the apple or an introduction, but even these short training groups -- and I imagine by the time you get the children in their seats and start the program, it's going to take a little longer than a half hour -- but those models have been shown to be effective in teaching effective CPR. So it -- we're -- we are acutely aware of unfunded mandated issues and the tremendous time constraints that the school systems have every time you turn around there's yet another, you know, we're pulling from science and math and

reading to teach a myriad of other skills. I would proffer that at -- of a lot of those other educational goals that are put on the -- that we're asking the schools to teach our students to learn, this would be a lifelong learning very productive attempt.

REP. SRINIVASAN: Thank you very much for your testimony.

SETH LAPUK: Thank you.

SENATOR STILLMAN: Thank you, Representative.

Anyone else?

Thank you, Doctor.

SETH LAPUK: Thank you.

SENATOR STILLMAN: Next is Michelle Doucette Cunningham, followed by Mary Loftus Levine, and then Vivian Lea Solek.

Welcome.

MICHELLE DOUCETTE CUNNINGHAM: Good evening, Madam Chair, Representative Fleischmann, members of the committee. My name is Michelle Doucette Cunningham. And I'm the executive director of the Connecticut After School Network. We're a statewide alliance that represents thousands of children, parents, and staff who participate in after school and summer programs. I'm here today on behalf of the Network to support raised House Bill 5352, around student center learning and to mention some inclusions that I think would strengthen the bill.

I've submitted written testimony so I'm not going read that for you right now, but I'd like to mention that the work that you did in Public Act 10-111, two years ago, allowed for online courses and some credit recovery, and this is really the next step. This bill would create ten \$50,000 three-year grants that would

create pilot programs that would allow for some student-centered learning to happen at schools and really take it to the next level.

The best example of how this is happening is New Hampshire, where they have more than 1200 kids in the high school level that have implemented various different types of student-centered learning. I've got some examples in my testimony of what that might look like.

What's important about this is that the community becomes the classroom. This isn't just about what happens in the classroom but what happens outside the classroom. And because of that it means that the learning can happen any time. So, as we all know, teenagers do a little bit better after four o'clock than they do at 9 a.m., and so this also taking advantage of some of their best learning time. It also engages students in a way by allowing them to design their own education, by allowing them to really be involved in what they're studying. It can really create some great synergy, and it's led to very impressive decreases in the dropout rates in New Hampshire.

The other thing that's important to note is that the learning is integrated into what else their interests are and into the community at large. It's not disconnected, and because of this, the students see it as relevant. When you ask high school students, you know, why are you here? they often don't know because they don't see the connections between what they're learning and what they're going to be doing in the rest of their lives, so if you help to connect it and make it relevant.

Earlier today, the ROTC leader was talking about relevance, rigor, and relationships and these types of students that are learning when done right has all three of those.

And the language that I would encourage you to include would be to add "community" to the section around the criteria for the grant. So when evaluating these pilot grants, I'd encourage you to look at connections to community resources as an important measure, and it's certainly an important part of the New Hampshire model.

Thank you very much for your consideration.

SENATOR STILLMAN: Thank you. We appreciate your input.

Representative Fleischman.

REP. FLEISHMANN: Thank you.

And thank you for your testimony and for all the great work you've done in after school programs.

I'm just wondering if you could help me understand, how do you define a connection to community resources?

MICHELLE DOUCETTE CUNNINGHAM: In New Hampshire, every student is paired with both with a certified teacher and a community mentor. Sometimes these are in after school communities, sometimes these are just an individual mentor. For example, it could be a doctor at the health center that is helping them design a student-centered learning project within their hospital internship, for example.

So it's a part of the community depending upon what it is. It could be an agency. For example, it might be the local coffeehouse that sponsors the poetry slam that encourages the students to start writing poetry. So there's lots of different types of community resources and this really allows the schools to become very creative about their community partnerships.

REP. FLEISCHMANN: And just for me to understand, this -- this bill flows from the superintendents' proposal where essentially they're trying to make sure that

learning happens at the students pace; that testing happens at the right time for the student; that the -- you know, to be saying it's possible that the student comes first and the scheduling reflects the student.

How does the community tie-in relate to that focus of the superintendents?

MICHELLE DOUCETTE CUNNINGHAM: Because it allows the student to be actively involved in deciding and designing their program, they get to choose the community mentor. The community mentor isn't assigned to them so they get to decide. Oh, I want to learn about poetry and then they get to think about what the community resources are there. So it really helps them to start researching what the possibilities are and building those relationships in a way that's different then an assignment would be.

REP. FLEISCHMANN: Thank you. That's very helpful. I'm a little slow on the uptake sometime, but I did get it on the second go-round so thank you.

SENATOR STILLMAN: Thank you, Representative.

Anyone else have questions?

Thank you so much.

MICHELLE DOUCETTE CUNNINGHAM: Thank you.

SENATOR STILLMAN: Thank you for the work you do.

Mary Loftus Levine, followed by VivianLea Solek and Orlando Rodriguez.

Welcome.

MARY LOFTUS LEVINE: Good evening, Senator Stillman, Representative Fleischmann, and members of the committee. I'm Mary Loftus Levine, the executive director of the Connecticut Education Association.

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have -- I have submitted testimony on five different bills and after hearing that discussion about what student-centered learning really could be, I would like to amend my remarks that are in there. HB 5352

When I read it, I thought it was just another catchy title, and I thought that the language was unusually vague. And I would like to draw your attention to lines 45 through 48, which gives the Commissioner the right to waive any statute or regulation. But what we thought of was that it would be all these experimental programs, and we thought that we would like to see more definition. And we would also like more collaboration, as the previous speaker said, with the teachers who would be actually carrying out the students-centered learning.

We're extremely happy to testify in favor of Number 5348, 5350 and 300. "Our View From the Classroom," talked about these very issues that we released in January, that I know you've all received copy of. We are very happy that the health care needs of students are being addressed, and the school nurses and school medical advisors redefining those roles, beefing them up. The literacy was a cornerstone of "Our View From the Classroom."

We do have a little concern that we'd like you to take a look at on defining the teaching credentials necessary so we have highly skilled people actually delivering the instruction. And to flush out a little more, we'd love to sit with whoever drafted it and suggest a more collaborative approach talk, bring in some experts. We think it's, obviously, the cornerstone of any attempt to close the gap and, of course, we've always been in favor of early childhood. We wish that you had -- we had in this bill an opportunity to put in some higher standards for those who teach our smallest and most vulnerable students.

And lastly, we would like you to rethink the Bill Number 303, again. I think that's been debated a lot

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today, and I don't think we need to get in any details about that. I think I got the message from my -- one of the previous speakers so that's it.

SENATOR STILLMAN: Thank you very much.

MARY LOFTUS LEVINE: Thank you.

SENATOR STILLMAN: I appreciate your written testimony, as well. It's very concise and --

MARY LOFTUS LEVINE: Thanks.

SENATOR STILLMAN: And I'm assuming, 5352 is having a new -

MARY LOFTUS LEVINE: -- maybe has a new life --

SENATOR STILLMAN: (Inaudible.)

MARY LOFTUS LEVINE: -- but we would like to be a part of it.

SENATOR STILLMAN: I appreciate that.

MARY LOFTUS LEVINE: Thanks

SENATOR STILLMAN: Thank you.

Representative Fleischman.

REP. FLEISCHMANN: Thank you, Madam Chair.

Just a quick question for you about your comments in early childhood education.

I doubt there's anybody in this room or many people in this state who would differ with the idea that having more qualified early childhood educators would be great. DB300

MARY LOFTUS LEVINE: Uh-huh.

REP. FLEISCHMANN: We've have had to modify our statutes a few times because the number of young people in the pipeline to go into that profession does not equal the number of young children who could use that kind of expertise and professionalism.

So I guess my question to you would be -- I mean, you're probably more aware of that pipeline problem than most people. How could we responsibly go ahead and set a higher bar for who it is who's in the classroom with young children right now given the lack we have of people who have say a bachelors in early childhood education?

MARY LOFTUS LEVINE: Well, as you know, and I know you have had to modify it because of those statistics. One of the ways we suggested in previous years that we might want to take a look at. We have an excess, according to what I heard from Commissioner Meotti of elementary teachers coming out of college. So if they can't find jobs maybe that pipeline needs to be redirected to early childhood. That's one thing that I recently learned that we might be able --

REP. FLEISCHMANN: I'm sorry. I got -- I got distracted --

MARY LOFTUS LEVINE: Okay.

REP. FLEISCHMANN: -- which pipeline are we directing?

MARY LOFTUS LEVINE: Okay. There are -- we are producing far more elementary education certified people than we need right now because of declining enrollment so the demographics don't match. So we do have a group of individuals who would qualify for these positions, and I totally understand, Representative Fleischmann, the dilemma.

We feel, as professional educators, that it's important to constantly remind people that ultimately

our goal would be to have that. I know that there's no way you're going to be able to do that in this climate. However, we don't want people to lose sight of that, and I think that's what really why I wanted to -- to raise it.

I also think that we'd like to draw attention to the real root of the problem, which is it's a vicious cycle. We don't produce enough people because we don't pay the wages and -- and the benefits that they can get in a public school. So, therefore, we just continue the cycle and at some point, we need to break that cycle and how -- and you know there's no easy solution on how to do that.

REP. FLEISCHMANN: There's one solution that's fairly straightforward, but it isn't easy, and that would be finding more money to pay --

MARY LOFTUS LEVINE: Right.

REP. FLEISCHMANN: -- early childhood teachers --

MARY LOFTUS LEVINE: Exactly.

REP. FLEISCHMANN: You know, the thing that I find interesting is that we -- everyone talks about how much they value children --

MARY LOFTUS LEVINE: I know.

REP. FLEISCHMANN: -- and how they appreciate young children and then we have these often poverty wages for the people --

MARY LOFTUS LEVINE: Uh-huh.

REP. FLEISCHMANN: -- who are responsible for educating young children, and you look at folks who play that role. It's one of the tougher teaching jobs out there, even if there's only nine children. Nine small children running around. I don't know how those

folks, even with full education and certification, I don't know how they do what they do sometimes. So, anyhow, I agree with what you've said, and I appreciate the vantage point you've offered.

MARY LOFTUS LEVINE: Thank you.

SENATOR STILLMAN: Thank you.

Representative McCrory.

REP. MCCRORY: Good evening, Mary. How are you doing?

MARY LOFTUS LEVINE: Good evening. Good.

REP. MCCRORY: I have a question, and I was going to ask this to the previous individual who spoke in regards (HB 5352) to House Bill 352.

I understand the individualized educational plan sounds great, but when I read this bill I'm looking at lines 113 through 115, and it states that towards meeting the high school graduating requirements for the success completion of competency assessment development approved by the Commissioner.

And it sounds like what we're developing here is an exam, an end-of-year exam or an exam for students to be able to take upon -- before they graduate from high school. Maybe I'm reading it wrong but --

MARY LOFTUS LEVINE: I think it means they can test out of high school classes, I think, but I don't know. You know, I'm wondering the same thing. I had a lot of questions on this bill --

REP. MCCRORY: Yes, I'm confused.

MARY LOFTUS LEVINE: I don't know.

REP. MCCRORY: Because I'm hearing -

MARY LOFTUS LEVINE: -- I don't know who drafted it.

REP. MCCRORY: -- individualized learning plan, which is great. It sounds good, but I'm also hearing is this an opportunity for kids to test out early or is this an opportunity to take a test if they don't pass Connecticut Mastery. I mean the CAPT test --

MARY LOFTUS LEVINE. I have no idea.

REP. MCCRORY: So I guess we have to explore it a little different.

MARY LOFTUS LEVINE: May I -- may I ask another question, Doug? Is that all right, Representative McCrory?

REP. MCCRORY: Yes.

MARY LOFTUS LEVINE: I -- I think that the whole student-centered learning, hearing from, as I said, being educated is -- is a good idea. I don't how far we're going to go with \$50,000 in ten districts --

REP. MCCRORY: Right.

MARY LOFTUS LEVINE: But be that as it may. Again, I think that this should a more collaborative approach and not just in line 38 and 39, the department meeting with just superintendents. And I think that there's a lot more people that could add to this issue, and we also are concerned with the testing out. So I -- I think that would be really good if we get clarification on -- on that, but we're not against the concept. It's just how you get there.

REP. MCCRORY: Thank you.

MARY LOFTUS LEVINE: Uh-huh.

SENATOR STILLMAN: Thank you very much.

Any other questions for her?

Thanks.

MARY LOFTUS LEVINE: Good night. Thanks for your patience.

SENATOR STILLMAN: Thank you.

VivianLea Solek. She's there. She heard me earlier, good. Orlando Rodriguez and then Anne Nutt.

Welcome.

VIVIANLEA SOLEK: Thank you.

Senator Stillman, Representative Fleischmann and members of the Education Committee, my name is VivianLea Solek, and I'm a curatorial & collections management consultant for Monroe, and I am here to speak in support of Raised Bill Number 5355.

Bill Number 5355 is a critical piece of legislation that will support Connecticut's numerous museums, libraries and archives. This proposed legislation is in keeping with similar legislation that has been passed in 37 states, including most recently Massachusetts and Vermont in New England. In fact, Connecticut and Rhode Island are the only two states in New England which do not currently have this type of legislation.

This act will enable museums, libraries, archives, historical societies and other cultural institutions - - which here after I'll just simply refer to as museums -- to resolve the problem of unclaimed and undocumented objects, which result when lenders and donors do not claim items loaned to museums for an exhibit or for identification or for evaluation or when a donor simply leaves the property on the institutions doorstep.

The past practice of permanent loans, which current best practices strongly discourage, has resulted in

numerous items being left in museums for generations for which the rightful owners of the property cannot be found. And I encourage you to look at the testimony of Barbara Austin from the Connecticut Historical Society and Ed Russo of the Wadsworth Antheneum, because they both give very good examples of objects that have been in their collections literally for generations but which they do not have a clear title to.

So much of this unclaimed and undocumented property -- property currently in museums has been held for decades before relationships between lenders, donors and museums were formalized with written loan agreements, temporary deposit receipts and other documentation now in use. Without legal title to unclaimed or undocumented objects, museums can only make limited use of these items while bearing all the cost and burdens of providing secure climate controlled storage, inventories and other associated recordkeeping and general care.

I have worked with several museums and historical societies in Connecticut, including the Norwalk, Derby and Monroe Historical Societies that have old loans and abandoned property in their collection and they are not unusual. HB Number 5355 will provide them the tools they need to address these orphaned collections.

I ask the committee to please support HB Number 5355 as an important step in strengthening the cultural community in Connecticut as they pursue best practices that are critical to the care of our cultural patrimony.

Thank you for your time and consideration.

SENATOR STILLMAN: Thank you and thank you for waiting all day to -- to now bring us to a new topic so I think it's waking us up a little bit.

Do you have any idea -- apparently, from you are sharing with us this is something that you believe museums and other libraries and maybe some other types of nonprofits that have, you know, items in their possession that they're concerned about. Do you have any idea if -- if this has any strong fiscal concerns?

VIVIANLEA SOLEK: Well, it is a fiscal concern for the institutions in that they have to provide care for these objects and, you know, maintain a standard of care for objects that they don't own. So there is that fiscal concern for the institutions, yes, this bill would have no cost impact on the state budget whatsoever.

SENATOR STILLMAN: Would this give an opportunity for those institutions that would now, if this bill moves forward and it's passed by the General Assembly and signed into law, would this give those institutions that have this sort of unclaimed property an opportunity to sell it to someone who might be interested, maybe in another part of the country or -- or the world and in one sense help them not only relieve the pressure on storage of some items but also might be a revenue generator for these organizations?

VIVIANLEA SOLEK: Yes. There's going to be several different classes of objects. There will be those objects that they wish to clear title and retain because they meet their mission and they want to exhibit them and do programs about them, what have you. There will be objects that they will want to what we call "deaccession." Once they have title, remove it from the collection because they don't meet the mission or the condition is so poor that its beyond conservation, so sometimes for objects, like that, destruction is really the last resort.

There may be things -- museums are held to an ethical standard that is above the law. These objects were given with the intent that they would be held in trust for the public we serve. So, if possible, you know,

we would encourage each other through our ethical standards to share that object with another institution. If there's not an institution where it's a good match or maybe they already have five of them and they don't need a sixth, then certainly to go through a public auction scenario and those proceeds come back to that institution.

I should note that per the guidelines of the American Association of Museum, The Association of Art Museum Directors, the American Association for State and Local History, all of our main national membership organizations, those proceeds are typically reserved for future acquisitions or direct care. They cannot go into general operating because if that were the case, and we've seen this played out with most recently the Brandeis University Art Museum, Randolph Macon Women's College in Virginia, where they were selling off collections to fund their general fund. Shame on them.

SENATOR STILLMAN: Well, in a sense, if they -- if -- even though they might be able to sell an object or item, whatever it is, and the proceeds have to go towards restoration or even just general management of -- of the care of the collection that in a sense relieves an aspect of their budget.

VIVIANLEA SOLEK: Yes, it does.

SENATOR STILLMAN: But it cannot go towards operating -- in other words it's not going to buy paper and office supplies and that kind of thing.

VIVIANLEA SOLEK: Exactly.

SENATOR STILLMAN: Okay, very good. Thank you very much.

VIVIANLEA SOLEK: Thank you.

SENATOR STILLMAN: Anyone else have questions?

Representative Fleischmann and then Representative Kokoruda.

REP. FLEISCHMANN: Just a very simple question. This seems like common sense and at the outside of your testimony you said Connecticut and Rhode Island lack this kind of chain of ownership type statute, whereas virtually every other state has it. Did I hear you correctly and if that's the case why are we this little sort of southern New England island with -- while everyone else has sort of moved along?

VIVIANLEA SOLEK: Good question. On a personal note, I can say because I've only been in the state six years. I was involved in Virginia's efforts to also get this legislation passed. I -- I don't know why, but that's why we're trying very hard to remedy that situation now. Massachusetts just passed it last year. It's not like they've had it for a very long time and so once we're successful then, in turn, we're going to turn to our neighbors to the east and try to help Rhode Island do likewise.

REP. FLEISCHMANN: Sounds like Southern New England is just the last in this category.

My other question, you know, you put forward all the good arguments as to why we would do this, is there anyone who would be opposed to this and, if so, what basis would they have for opposition?

VIVIANLEA SOLEK: I cannot imagine. Perhaps, someone that is not aware of, you know, the legalities of undocumented collections or old loans, but anybody who is aware of this -- I mean, everybody that we have spoken with -- I was on the committee that help draft this, everybody has been so thankful and so appreciative. You know, we all have things we have to deal with, but they know they can't under, you know, current statutes.

REP. FLEISCHMANN: Thank you.

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VIVIANLEA SOLEK: Thank you.

SENATOR STILLMAN: Thank you, sir.

Representative Kokoruda.

REP. KOKORUDA: Thank you.

Let me just asked you, I agree with Representative Fleischmann. It certainly sounds like common sense, but you -- you stated that right now with -- with anything that's loaned to museums and other organizations, we have written agreements. So we're really talking about objects that predated the procedures of today. So I was concerned about statutes of limitations or any future legal issues if -- if this was something that happened in the future.

VIVIANLEA SOLEK: Under the specifications of the bill, as it is -- as it is currently written there is language that says, lenders to museums today -- and from this point forward what -- it is enacted -- will be advised of this statute. And so it is mostly addressing those situations where, again, if you look at Barbara Austin's testimony, they have papers, a collection of papers that she references that has been in the collection of the Connecticut Historical Society, literally, for decades.

And, you know, as those lenders die or move away, if they don't let us know -- in the days before loan forms -- they literally fell off the radar. And it's not impossible to track them down and track the heirs with advent of the internet and a lot of the tools that you have, but sometimes, literally, the trail goes cold and so then you're -- you have these old loans that you can't do anything with.

So, yes, the two-part answer for the old loans this bill is going to be critical, but it also spells out

going forward what the requirements are to hopefully prevent this happening in the future.

REP. KOKORUDA: Thank you.

VIVIANLEA SOLEK: Thank you.

SENATOR STILLMAN: Thank you, Representative.

Anyone else?

Thank you very much.

VIVIANLEA SOLEK: And I thank you for your time, consideration and your endurance.

SENATOR STILLMAN: Orlando Rodriguez, followed by Anne Nutt and then Terry Bedard.

ORLANDO RODRIGUEZ: Senator Stillman, Representative Fleischmann, and distinguished members of the Education Committee.

I am a senior policy fellow with the Connecticut Voices for Children, and I'm here today to testify regarding Senate Bill Number 298, AN ACT CONCERNING THE MINIMUM BUDGET REQUIREMENT. We support a thorough analysis of the Minimum Budget Requirement in light of proposed hold harmless education funding and declining K-12 enrollments in Connecticut's public schools.

Eighty five percent of towns had a net declining K-12 residents between 2006/2007 and 2010/2011. Population projections from the Connecticut State Data Center indicate declining K-12 enrollments will continue throughout this decade. Consequently, we believe it is appropriate to allow towns to reduce local spending on education. However, decreases in education spending should be informed by detailed financial data and state education funds must not supplant local education funds.

Our recommendations include: First, reductions in local education spending should not be tied to an arbitrary dollar amount. Instead, towns should be allowed to reduce local education spending only when it does not negatively affect the quality of instruction that is dependent upon factors, such as, student -- teacher ratios, instruction time, or essential services, such as special education.

Second, section 10 of Senate Bill Number 24 calls for a uniform system of accounting for school expenditures and this must be a part of a comprehensive solution involving the MBR. This reporting system must include all funds budgeted from all sources, as well as expenditures.

Further four -- furthermore, uniform reporting should distinguish between facilities cost, administrative costs, and direct student costs. Such detailed accounting will provide the ability to determine the true impact of reductions in education spending.

And we've attached a listing of the kind of detailed of the information we would like. This is for Northridge School district in Massachusetts.

And I'd just like to bring to the committee's attention that we don't know this for Connecticut schools. We know more about Massachusetts' fiscal funding of their schools than we know about our own.

Third, towns must be required to spend all local tax dollars budgeted -- collected for education on education-related expenses. Funds remaining unspent at the end of the fiscal year should be used to offset spending in the following fiscal year. Local monies budgeted for education should not be reallocated to non-education use. Currently, statutes dictate the minimum monies towns must budget from local revenue; however, there is no requirement how much local revenue towns must actually spend on education. Towns can use local monies budgeted for education towards

non-educated expenses by shifting dollars at the end of the fiscal year. This practice may become more common place as education costs decline due to declining enrollments.

Thank you for this opportunity to testify regarding Senate Bill Number 298, and we support the legislation and call for a comprehensive solution involving uniform fiscal reporting, an end to supplanting of local education funds, and a requirement that local property tax is collected for education must be spent on education.

Thank you for your time.

SENATOR STILLMAN: Thank you, sir.

As you -- as you probably know because you do your homework so well, in Senate Bill Number 24 there's also a section on chart of accounts.

So is that what this is reflected, the chart that you attached, for this Massachusetts school district, is this what you --

ORLANDO RODRIGUEZ: -- Yes, Senator.

SENATOR STILLMAN: -- think would be a chart of accounts?

ORLANDO RODRIGUEZ: Yes, and there has been a lot of discussion about what is a chart of accounts.

SENATOR STILLMAN: Exactly.

ORLANDO RODRIGUEZ: Because they're some who have testified that we do have a chart of accounts, we don't. We have reporting of expenditures that's it, that's all we do. We don't have inputs and because we don't have inputs, we don't know what's left at the end of the year. So what I thought I would do -- this is one example. The kind of detailed information we would

like to have and if we can get more detailed information that would be fantastic.

What we don't see here either is the revenue. We just see expenditures here, so we would like to also see the revenue from all sources and, in particular, what we would like to see are local revenues because the MBR says you have to budget X dollars, but it doesn't mean you have to spend X dollars. So what we want to see at the end of the year, where did those dollars go. Okay. And so when you talk about the MBR -- if you want to really address the issue of how much local towns should be spending, there has to be a comprehensive solution that involves all these elements.

SENATOR STILLMAN: Thank you. This is -- this is very helpful. I think it -- it puts sort of a face on what chart of accounts would look like and then, obviously, you know, I think we agree we would like to see what the revenue side would look like, as well, to support these expenditures or not.

ORLANDO RODRIGUEZ: Yes.

SENATOR STILLMAN: You know, I mean it's like an audit. You got to see that your revenues are supporting your expenditures; otherwise, you're in deficit. So --

ORLANDO RODRIGUEZ. Yes, definitely.

SENATOR STILLMAN: -- or you have an extraordinary surplus, and you know what's going on there. So --

ORLANDO RODRIGUEZ: I would propose to you that instead of a committee, an education committee -- you were on the board of a corporation that had \$2 billion of expenditures each year, if the current level of reporting that we have on education spending, if that is sufficient, and likely, it is not. And with declining enrollments, it's -- it's -- the opportunity is there to reduce costs. Some towns may

disproportionate advantage of that at the expense of other towns. The only way we're going to know for sure is with something like this.

SENATOR STILLMAN: Thank you.

Anyone have any questions?

Representative Johnson.

REP. JOHNSON: Thank you, Madam Chair.

And thank you for your testimony today.

One of the -- one of the -- it's more of a -- more of a comment than a question. One of the issues that I find in my district is that people are constantly complaining they don't understand how we do about our budgeting, and so I think this would be very helpful so thank you.

ORLANDO RODRIGUEZ: Can I respond?

SENATOR STILLMAN: Please do.

ORLANDO RODRIGUEZ: I have for years now tried very hard and I've spoken -- have face-to-face conversations with people at SDE, with staff at SDE. I have contacted local school districts. I have tried to get the inputs, the outputs, and the net, impossible, can't do it. Nobody speaks the same language, people put up barriers, even in my own district. It's like everybody got their own little pot nobody wants to share anything and they all talk different languages and --

REP. JOHNSON: It's definitely the complaint. Thank you so much.

Thank you, Madam Chair.

SENATOR STILLMAN: Thank you, Representative.

Representative Kokoruda.

REP. KOKORUDA: You know, I've often wondered in my district, we've always looked at charts that Connecticut puts out on per pupil expenditure. Now, wouldn't they need all that information to be able to put that information out?

ORLANDO RODRIGUEZ: What they collect is on a form, I have here. It's called the ED001, and it's very, very high level. It's not this level of detail. For example, one of the things they report are salaries. Whose salaries? Everybody's salaries. So we don't know what salary goes to the administration, what salary goes to the teachers, what salary goes to the janitors. It's just salary. Okay, employee benefits? Well, how do you break down? We don't know. Instructional supplies, instructional equipment -- that's the problem is that they collect the information, but it is not at a level of detail that is really very useful.

REP. KOKORUDA: Thank you.

SENATOR STILLMAN: Thank you as well.

Anyone else?

Thank you, sir. We appreciate this very much.

ORLANDO RODRIGUEZ: Thank you for your time.

SENATOR STILLMAN: Anne Nutt, followed by Terry Bedard and Verna Bernard-Jones.

Welcome.

ANNE NUTT: Thank you.

Good evening, Senator Stillman and Representative Fleischmann and members of the committee. My name is

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Anne Nutt, and I'm currently a teacher of the junior high school at the American School for the Deaf. I won't go through my whole statements since it's been a long day. It feels good, kind of, get out of the chair and walk around, and I have to the CMT testing tomorrow with my students, but having taught at ASD and other settings with children that are deaf and hearing impaired for 26 years. I'm supporting bill -- House Bill Number 5357 to ensure that deaf and hard of hearing children have access to language and communication that best serve the individual child.

Pointing out the aspect of language, I think today's example of the interpreter being here for two hours is a really great example. I know that was a snafu, and I'm glad it was provided but that happens frequently where someone that relies on a certain mode of communication, it could be auditory input, it could be oral, sign language gets short shrift because, oh, we didn't schedule or they're not there or they don't have the expertise so they take what they get, and communication access is denied and this happens more often than not.

Also, as far as having access at an early age, we've heard a lot of testimony about early childhood education and the significance of that. Without language communication or any sort of structure of that starts at an early age, the students are left wanting. We have wonderful parents that support them and in that case the children thrive for the most part, but sometimes they're left to flounder for several years before, finally, they get what they need. By that time -- and I've experienced this -- they get placed in the classroom, they're already three, four, five years behind and that is a significant delay and almost unable to be made up.

They have to have someone with knowledge and access and be able to provide for their communication needs as soon as possible, an environment that is communicatively accessible with technology, with their

peers, staff that knows, qualified and knowledgeable professionals need to be involved. A lot of times students are placed or you go to meetings and no one really knows about how to best serve the needs of a deaf or hearing -- hard of hearing child. It's about language, language, language, language, and visual access as much as possible.

You've seen the statistics as far as their being delayed and their lack of performance on the testing. I've seen this disparity firsthand and please support Bill Number 5357.

Thank you.

SENATOR STILLMAN: Thank you very much.

In your testimony -- excuse me -- you've compared some percentages of children with hearing disabilities versus those who -- children who are hearing. Is this -- is this recent statistics?

ANNE NUTT: It was -- it is as far as I know. I know it was reported in the Hartford Courant several days ago, and I saw that -- I believe it was last year statistics, 2011. I saw it probably about a month ago in another report so they are fairly recent, yes.

SENATOR STILLMAN: They're very -- they're very telling in terms of how difficult it is for children to function without the appropriate interventions early on --

ANNE NUTT: Uh-huh.

SENATOR STILLMAN: -- and how it continues to snowball --

ANNE NUTT: Definitely.

SENATOR STILLMAN: -- as they go through life so --

ANNE NUTT: If they don't have a concept of the world or what's being -- I mean, imagine you sitting at dinner

in your household and everybody speaks Portuguese and you speak English, and they're having a conversation laughing and you're left to play ping pong conversation, conversation ping pong, trying to figure out by the context and what's going on and you get maybe an eighth and then you have to conjecture everything else from there.

So that limits your knowledge of the world and all the incidental language and knowledge that we gain so it puts them -- unless they're actively engaged by their families or by their peers, it puts them at a distinct disadvantage.

SENATOR STILLMAN: Thank you.

Questions from anyone?

Thank you very much.

ANNE NUTT: Thank you.

SENATOR STILLMAN: Good luck with those exams tomorrow, and your students and for you.

ANNE NUTT: Thank you for your time.

SENATOR STILLMAN: Terry Bedard, followed by Verna Bernard-Jones and Karissa Niehoff.

Welcome.

TERRY BEDARD: Hi, I'm Terry Bedard, parent of a profoundly HB5357 deaf son, Matthew, who testified much, much earlier, and I'm also an attorney who volunteers to help parents obtain the placement and services they need for their deaf and hard of hearing children.

First, thank you to the co-chairs, Representative Fleischmann and Senator Stillman for raising the Deaf Child Bill of Rights to a bill, and thank you to all the members of the Education Committee for reviewing

the informational folders and brief video I provided in asking your support.

As you know from these materials, there's an educational crisis occurring in Connecticut for deaf and hard of hearing children. As reported by the Connecticut State Department of Education, in 2011, between 71 and 81 percent of deaf and hard of hearing children with IEPs did not reach goal on their CMT and CAPT exams, as compared to 35 to 58 percent of their hearing peers. This achievement gap is astounding and should prompt an immediate call to action consistent with the Governor's goal to close the achievement gap.

When Congress reauthorized the individuals with Disabilities Education Act, they added a special factors provision requiring IEP teams to consider the language and communication needs for deaf and hard of hearing children, but this provision was listed verbatim and buried under page 10 of the Connecticut IEP form. This is not an effective implementation of this special factors requirement. At the heart of the Deaf Child Bill of Rights a language and communication plan would be attached to every deaf and hard of hearing child's IEP, effectively implementing this federal special factors requirement.

Hearing loss is a low incidence disability with only one or maybe a handful of deaf and hard of hearing children in any one district. Typically, school districts have minimal experience with deafness. Juxtaposed with this lack of experience is the fact that over 90 percent of deaf children are born to hearing parents. Many parents have limited experience with deafness. Consequently, it's the children who suffer because their language and communication needs are generally not being met.

The Language and Communication Plan would provide a road map or a framework to identify and address the language and communication needs and make those needs the focus of the child's IEP.

I know from almost 20 years of experience as the parent of a deaf child and as a professional, counseling hundreds of parents that unless, unless the parents are strong advocates or the school district is unusually experienced with deafness, the children's language and communication needs are not the focus of their IEP.

Please support a Deaf Child's Bill of Rights to ensure a Language and Communication Plan is attached to every deaf and hard of hearing child's IEP, making their IEP focused on meeting their needs with the goal to close the unacceptably wide achievement gap.

And in closing, as we all sit right here in this building, we are just a few blocks away from the very first US deaf school still in existence. Yet, 11 other states have already passed this legislation. Let's make Connecticut the 12th state.

Thank you very much for this opportunity, and I welcome your questions.

SENATOR STILLMAN: Thank you very much, Terry. You, obviously, are an extraordinary advocate for a cause because you've got a lot of people paying attention, and I believe a lot of support. I think today's hearing has been extremely helpful to folks so thank you for your advocacy, as well.

ANNE NUTT: Thank you, Senator.

SENATOR STILLMAN: Anyone have any questions?

Okay. Thank you.

ANNE NUTT: Okay. Thank you.

SENATOR STILLMAN: Verna Bernard-Jones, followed by Karissa -- Dr. Karissa Niehoff and then Jeremy Brecher.

Welcome.

VERNA BERNARD-JONES: Good evening, Senator Stillman and members of the Education Committee. My name is Verna Bernard-Jones. I'm a school nurse at West Middle Elementary in Hartford, and I'm also the president of the Hartford Federation of Teachers Health Professionals, a local representing over 65 school nurses and health professionals in Hartford.

I'm here today to testify in support of HB
Number 6348, legislation that would require safe (HB5348)
school nurse staffing levels and provide much needed professional development for school nurses.

I did submit testimony, but I just want to give you some of the highlights. I know that everybody realizes that school is an educational setting but very often people are unaware of that the vast majority of schools are also healthcare settings. Almost one-third or 30 percent of the children have chronic health issues, including: Diabetes, asthma, hypertension, and other health problems.

According to the Center for Disease Control, one-third of school aged children are obese or overweight, 13 percent require prescription medication that they have to take for more than three months and (inaudible) and 10 percent have asthma.

Everyday, school nurses see several different types of students with many different issues. Among these are acute emergencies, like seizure, low blood sugar, asthma, education and psychological problems, and then we have to do mandatory screenings and periodic screenings. And, of course, we -- we're doing administer medications and doing such procedures as tube feedings and cauterizations.

School nurses also are the ones who provide students and faculties and parents with up-to-date information on infectious disease and contagious disease.

Ultimately, the school nurse manages assessment planning, intervention, and evaluation of health services for students.

Just last week, I was taking a quick lunch break around 2 p.m., when the secretary came running in and said there was a student having some type of allergic reaction. He was covered in hives and there was no documentation anywhere in his health record of being allergic to anything. Without a nurse in that school, his condition would not have been able to be assessed, treated, given medication, and he had a positive outcome.

As you all may remember, there was a case just the other day in Virginia where a young girl died in a school from a reaction to peanuts. Now, she did have a plan in place, but there was nobody there in that school to administer medication. According to the reports, there was just, I think, a nurse's aide and medication was not given.

So I just want you -- to ask you to please support this bill because without a nurse in every school children are at risk.

Thank you for your support.

SENATOR STILLMAN: Thank you very much.

Questions?

Yes, Representative Srinivasan.

REP. SRINIVASAN: Thank you very much, Madam Chair.

I definitely agree with what you said about the need for a nurse being there at every school, but I wanted to hear from you more was do you have an idea as to a proportion or the ratio between the nurse and a number of students? Do you have such numbers in mind as well?

Thank you.

VERNA BERNARD-JONES: Well, the National Association School Nursing and AFC National adopted some guidelines and, at this point, they're saying for if -- if you had entirely healthy population, they -- they recommend one nurse for every 750 students.

If you start having children with other disabilities, then, the ratio changes. And I did -- there are guidelines that I could just read to you: 150 for a well population. If you have children with disabilities, then it goes one nurse for every 225; and then if you have profoundly handicapped children, they're recommending 1 to 125 or a fraction depending how -- how profoundly handicapped the children are.

So there are guidelines in place, and this is what we were asking that those guidelines be at least followed in this state.

REP. SRINIVASAN: Could I ask (inaudible)?

Thank you, Madam Chair.

You're -- you're absolutely right in saying that we need a nurse in school for acute situations that happen on an ongoing continual basis in school, but what I couldn't understand was do you also see at the schools that chronic care, not acute care, but chronic care also being administered at the school? And that the school nurse becomes the healthcare provider, advisor, in that capacity, as well?

VERNA BERNARD-JONES: Absolutely. As I said before, there's a lot of asthma. We have children that come in with -- I have a young man that he's got spina bifida and so he has to be catheterized every day, and this will probably go on for the rest of his life. Maybe at some point, he'll be able to do it as himself but right now he's a first grader. He's seven year

old. So everyday he's got to be catheterized, twice a day in school. And then you have children with diabetes who have to be regular monitored -- regularly monitored, they have to -- they have calorie count that the nurse must constantly make sure they're -- they're not taking more calories than they're supposed to and follow them. They come down and get their blood sugar tested, and then they're tube feedings, where, you know, might have a student with -- who has to be tube fed on a daily basis.

So there's a lot of chronic condition and then there are even children -- I don't have in my school but there's children on ventilators and, you know, ongoing chronic problems.

SENATOR STILLMAN: Thank you very much.

Yes, Representative Carpino.

REP. CARPINO: Thank you, Madam Chair.

I just want to pick up on one of the questions that Representative Srinivasan asked you about some of the staffing. Do you think there should different staffing levels from something, say, like an elementary school where you've got kindergartners versus a high school where perhaps those students are of age and can do a lot of the self-care themselves?

VERNA BERNARD-JONES: Well, you know the thing -- there's definitely need for assessment as to what need. In some schools, it depends on how many children you have. You definitely need one -- more than one nurse, and I know that we recommend that if you have over 750, you definitely need another nurse. I know there on a daily basis sometimes and my school is close to 700 that I -- it's so unbelievable, especially flu season or at the time -- when H1N1 and kids are coming in really sick.

So you absolutely have to go by the population and -- and what -- what's needed.

REP. CARPINO: If I may, Madam Chair.

And I understand your point. My question is do the numbers have any variables based on the age and health of the children?

VERNA BERNARD-JONES: The health definitely makes a difference. The age -- I -- you know, I don't think it -- it depends how -- how many procedures you have to do and the amount of students. I know in some of the high schools they definitely have to have two nurses because most of the high schools, you have all of the -- you know, you'll 1200 children. I don't -- I think it's mainly the needs and the amount of children. So even though they're younger, they may be younger, but if they're a healthy population, then you may not need two nurses. But when you start to get a larger population and you -- and more -- or chronic illness, then -- so you have to just go by what your school needs.

SENATOR STILLMAN: Thank you.

Representative McCrory.

REP. MCCRORY: Good evening --

VERNA BERNARD-JONES: Hi.

REP. MCCRORY: -- and thanks for waiting to testify for us.

I just have a -- well, a concern because I was informed that at least at a couple of schools that I'm familiar with that they share a nurse. Would you ever recommend sharing a nurse because, let's say, a school population was like 300 and another school population is maybe 400, and I'm told that a nurse is shared between two schools. What are your -- your thoughts on that?

VERNA BERNARD-JONES: Well, I'm a school nurse myself. I don't like to see that. First of all, there -- you're in a building and you're already the only healthcare professional in that building available, and anything can -- can happen in that day. If you have to leave to go cover another school -- I had a situation once where one nurse was asked to go cover another school, but in the school she was leaving she had a child with seizures and just as she left that child had a seizure, and there was nobody else there to, you know. So I would -- I think you do need a nurse in every building that would be my --

REP. MCCRORY: Thank you.

SENATOR STILLMAN: Thank you very much.

Any other questions?

Thank you so much.

VERNA BERNARD-JONES: Thank you.

SENATOR STILLMAN: Dr. Karisa Niehoff? Dr. Niehoff? No? That's too bad. I had some questions for her. Okay.

Jeremy Brecher, followed by Greg Beyer and Gary Greco.

JEREMY BRECHER: Good evening, Senator Stillman, Representative Fleischmann and members of the committee. I'm Jeremy Brecher. I'm a Connecticut historian, and I'm testifying in support of Senate Bill 304, Labor History in the Public School Curriculum.

I speak as a Connecticut historian and the author of two books on Connecticut labor history and ten books on American labor history, and the former humanity scholar and residence of Connecticut public television and radio, where I was a script writer for more than

20 documentary TV shows on Connecticut life and history. I also was involved in two exhibits that are in the first floor of this building. One originated a long time ago on the history of the General Assembly, itself, and one that I believe has just gone up this week that adjoins it on history of government workers in New Haven.

The proposed legislation mandates the teaching of labor history, the collective bargaining process and history of existing work place protections. That will provide both an understanding of critical human and social rights in the workplace and of a democratic process by which they were instituted. It will fill an important gap in the education of our young people and their preparation for their world of work. That gap is illustrated by the experience of the student at the University of Connecticut who heard mentioned in class a general strike in Naugatuck Valley in 1920 that labor historians today regard as one of the most significant events in Connecticut's 200 years of labor history. He decided he would like to more about it. He later described the results.

I live in the city that this incident occurred in -- it was Waterbury -- and yet had never heard about it. Upon looking into the matter, I found there was nothing said in any of the books concerning Waterbury's history -- approximately 15 books included this period of time. As the author of two books on Waterbury's labor history, I can confirm his report. Mine weren't published at that time.

He had never heard of it, although he had gone to school in that city for much of his young life. That is part of what has been called the iron curtain that separates Americans from knowledge about the history of work and working people. Indeed, while the history of business is almost always taught in the school curriculum, the history of labor is usually blacked out.

How would we feel if this were true of the history of African Americans, of women, of immigrants? How do we expect young people to relate intelligently to the world of work without some knowledge of how workers have organized themselves in the past. How do we expect them to grapple intelligently with the problems of today's changing and extremely challenging workplace without an understanding of how relations in the workplace have changed in the past and how past challenges have been met.

How do we expect them to be informed participants in the setting and enforcement of rules governing the workplace if they know nothing about the rationale for such rules and how they have developed?

SENATOR STILLMAN: Sir, could you come to a conclusion?

JEREMY BRECHER: Yes, just finishing.

Labor history is nothing new in Connecticut schools. I have consulted with teachers in a variety of settings who have included labor history units in their curriculum with great success. The City of Danbury has been the site of a nationally recognized effort to teach labor history at various levels. These efforts often make history vivid and meaningful by including dramatic local events and encouraging students to conduct their own oral history interviews with family and community members.

I urge you to support the inclusion of labor history in the Connecticut public school curriculum.

SENATOR STILLMAN: Thank you very much and thank you for waiting so long.

Since you played an integral part in -- in helping to relate the history here in this building, I guess, I'm asking if this bill should move forward and the Department of Education is interested in -- in

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consulting for curriculum, would you be available?

JEREMY BRECHER: Absolutely.

SENATOR STILLMAN: You're on the record now --

JEREMY BRECHER: I'd be thrilled.

SENATOR STILLMAN: Thank you.

Anyone else have questions?

Representative Fleischman.

REP. FLEISCHMANN: Thank you.

It seems to me, you more than almost anyone who's come before the committee would know, what type of resources are currently available that would permit the State Department of Education to quickly assemble such a curriculum were we to -- to aim to do so?

JEREMY BRECHER: There's a fair amount. I have to confess that some parts of it, they're works that I've done, but actually, there's quite a number of things that could be suitably adapted for high school use. I don't believe there is a single curriculum that exists. I'm not aware of one that's all set, cut and dried, and ready to go off the shelf, but I think that competent people could put one together from existing materials quite rapidly. There are -- there are a number of teachers who do teach this at least for their own local communities and so their experience would be critical to draw on.

REP. FLEISCHMANN: My other question is one where I think I know the answer, but you probably would know better than I. So when I was young, I took AP US history in high school, and I remember quite clearly the discussions of Samuel Gompers, of Rosa Luxemburg, was it? Of the folks who formed the mine workers unions,

of John Louis. I mean this is from high school history --

JEREMY BRECHER: Right.

REP. FLEISCHMANN: -- I'm remembering most of this and it was just part of the curriculum because it's a part of American history. There was a serious pitched battle that went on especially in the late 19th, early 20th century, between the workers who were organizing and the capitalist who amassed unprecedented amounts of capital so that was a part of American history.

Is that -- does that -- why wouldn't that still happen today for a child taking US history. I mean it just seems to me, you know, part of -- given that there were actual sort of pitched battles. It seems like part of our history automatically so why would it need to be called out in this way?

JEREMY BRECHER: I think what you're saying is completely right and that that's essentially what's being asked for. I don't think that is currently a regular part of the curriculum. If it is, it's extremely, you know, brief and without any ability to discuss it --

REP. FLEISCHMANN: My question is what happened?

JEREMY BRECHER: Yeah.

REP. FLEISCHMANN: What I just described to you was curriculum that probably most people on this --

JEREMY BRECHER: Right.

REP. FLEISCHMANN: -- panel sort of learned.

JEREMY BRECHER: Right.

REP. FLEISCHMANN: It's just part of our American history, so happened to the textbooks and the teaching?

JEREMY BRECHER: I can't answer that question. There are -
- there are historians who study the history of
history textbooks, and it's a researchable question,
and if you want to give it to me as an assignment,
preferably with the grant attached, I'd be delighted
to research it, but I -- I -- it's -- it's an entirely
appropriate question. I don't think that what's being
asked for in this bill is anything more than what you
just described. I think today it might be done in a
more hands-on way with more opportunity for oral
history and community involvement, where that's
appropriate and where the teachers are in a position
to do that, but the basic concept that this should be
part of the story of American history is exactly what
you've laid out.

REP. FLEISCHMANN: Thank you. I don't see any grants
coming soon but thank you.

SENATOR STILLMAN: Thank you very much. I think we're all
set.

Greg Beyer to be followed by Gary Greco.

GREG BEYER: Did you ever sit in a room for four hours and
the person right before you said exactly what you
wanted to say? I'm just asking.

SENATOR STILLMAN: I would say considering the people
you're speaking to, yes.

GREG BEYER: I never realized that legislation was an
endurance sport.

Senator Stillman, Representative Fleischmann, members
of the Education Committee, as a former social studies
department head, current Oliver Wolcott Technical
School Library Media Specialist, and newly elected
vice president of the State Vocational Federation of
Teachers, I want to thank you for the opportunity to
support SB 304, which would require the history of
organized labor to be taught in public schools. I am

here today because I worry that many of our Connecticut Technical High School System's students may leave high school with the opportunity to join a trade union but have little sense of what that means, and the information that they're getting from media and many employers is far less than fair and balanced.

It was the Labor Movement that spearheaded the drive for public education for every child. It was the Labor Movement that played a critical and central role in the elevation of the American standard of living and helped create the middle-class. It was the Labor Movement that brought us many of the benefits that we take for granted today, a five day 40-hour week, vacations with pay, pensions, health and welfare protection, due process, and paid holidays. These rights were not won easily or cheaply. People risked jail, job security, and too often their lives to improve the standard of living for everyone. We believe that the men and women who struggled against deplorable working conditions, bias, and abuse, deserve the right to be remembered.

At its best, the Labor Movement inspires its workers to pull together for the greater good. Our students may never be shown the contributions labor has made to our communities, our state, and our country. Too often textbooks distort or ignore the great human sacrifices made to help others. Our failure to address these real contributions in social studies classes allows multimillionaires and multibillion dollar corporations to demonize unions and claim that rising costs are due to unions while they themselves lower wages and decrease benefits and pension contributions.

I'm not advocating that students in our schools receive union propaganda. No true history of the Labor Movement could overlook the examples of corruption and racism that are, unfortunately, part of labor's past. But that is often the only story being

told today, and a balanced teaching of labor history in schools will correct that injustice.

As our students enter the job market, they should not feel that they're fighting forces so much larger than themselves all alone. Our students are leaving the Connecticut Technical High School System knowing little of the history of the Labor Movement, and they cannot make an informed decision about why they would want to join a trade union. They should know that Americans for centuries have joined together to create equitable treatment for everyone. The teaching of labor history is a necessary step to ensure that workers will continue to work together to build a stronger middle class in the decades ahead.

Thank you and I'm sorry for going over the time.

SENATOR STILLMAN: No, thank you, sir. Actually your testimony has labor history in it, and you didn't read those parts, but I'm sure the members will.

GREG BEYER: I left out the story of the great Hat Strike of Danbury for reasons of brevity.

SENATOR STILLMAN: Exactly. Yes, and we appreciate that, but there are members of the General Assembly from Danbury, who I believe celebrate that by having a half day here, so -- so to remember that particular incident -- so -- so thank you for that, and -- and thank you for your -- your comment about the fact that, you know, our children are missing out on a lot, because this is an integral part of history. And unfortunately, this -- your -- your comment about not advocating the students on -- in our schools receive union propaganda, I appreciate --

GREG BEYER: Although we have plenty.

SENATOR STILLMAN: I'm sure we do in many ways. And there are many subject matters that have propaganda attached

to them so -- but thank you. We appreciate your waiting.

Anyone have questions?

Representative Lavielle.

REP. LAVIELLE: I haven't said anything for a while. Thank you.

Thank you, Madam Chair.

GREG BEYER: Well, that's certainly criteria for asking me a question.

REP. LAVIELLE: That's probably refreshing. Thank you for your testimony.

Just out of -- out of curiosity, are -- you know, when -- when someone graduates, either from high school or from college, or whatever, frequently, they are really not aware of the magnitude of choices that faces them. Right? And so I -- one of your choices is, yes, you could join a trade union and become -- well, you could become a tradesman without joining one, but you could also do it by joining one. You could go to work for a corporation. You can go into the theater. You can become -- you can go into advertising and -- and I know that when I was -- that's kind of where I ended up, but when I got out of graduate school, I had no idea how to go about that. You could go into book publishing. You could go, you know -- so what is -- this is -- this is one choice among many, and I -- I'm just trying to imagine what would happen if we -- if we required that every single choice that was available to young people had a course attached to it. And I -- and I know they're not all laden with history and date of significance, and so on, but it still would become rather cumbersome, and I wonder why we would choose just one possibility among others?

GREG BEYER: If I may. I think the idea that we're choosing one thing to teach kids has been trampled by the last hundred year -- hundreds of years where we teach them many, many, many things. I think specific to our system where boys and girls are learning skilled trades, be they carpenters or plumbers or electricians or HVAC technicians, specifically, to us, we think it's important that they know the history of labor, because right upon graduation if they become pre-apprentices or apprentices, they're going to be confronted with the choice. Do I join the union, do I not join the union, what do I know about union history. So specific to our system, it's important that kids know labor history. Also across all public high school students, I think, when you take a -- such a significant chunk of American history and pay it lip service, no disrespect meant to Representative Fleischmann, who is obviously a very bright man, but he couldn't remember the name Mother Jones, who was one of the most influential labor figures.

REP. LAVIELLE: Is that true?

REP. FLEISCHMANN: Point of order.

GREG BEYER: I thought he wasn't -- I thought he wasn't listening.

REP. FLEISCHMANN: I didn't even try for Mother Jones. I went for Rosa Luxemburg, and it was just a pause before Luxemburg. Proceed.

GREG BEYER: But I think it illustrated the point perfectly. Most kids don't take AP American History, where I'm sure the labor -- where labor history is dealt with much more extensively than your average high school history course. So I don't think it's that specialized a topic that we need to make, you know, a specific niche for that at the expense of anything else. I think labor history is American history, and it's so deeply intertwined with, you know, the past 200 years of our country's history that

acknowledging its importance, I think -- I think should be addressed.

REP. LAVIELLE: Would you -- would you confine it to American labor history? Would you go back to the -- the guilds? Would you go back to the Tour de France, which was something that existed way before the bike race? Would you -- would you go back into what -- what originally constituted unions?

GREG BEYER: Would I custom, if I were teaching, or would I, personally, if I were legislating?

REP. LAVIELLE: Well -- well, no. I mean if you were -- if you were to create -- you're here to advise us on what the ideal course would be, and that's why I'm asking you, but the -- the -- would you -- would you go back to really sort of the cradle of what all of this grew out of to begin with to give kind of a full perspective on the subject?

GREG BEYER: That's actually -- that's an excellent question. And I think what we're doing now is talking about many, many different courses in history, be they medieval history, Western Civilization as an overview, or American history. And I think now we're talking about the American history course the kids take. Many students in 10th grade, at least in our district, take a civics class, and I think that a discussion of American labor history is very, very important in the American history curriculum. Talk of the guilds and other things in Western Civilization or early European history, I don't know that we need to legislate that, but I'm hoping that we can legislate some kind of acknowledgment of the struggles of American men and women who literally built this country while, you know, the Vanderbilts were in their multibillion dollar mansions. People were being paid little or nothing to build the country from the ground up and that needs to be acknowledged.

REP. LAVIELLE: Thank you for your answer.

Thank you, Mr. Chair.

REP. FLEISCHMANN: Thank you, Representative Lavielle.

Are there any other questions?

Representative Johnson.

REP. JOHNSON: Thank you, Mr. Chair.

And thank you for your testimony today. I -- and when I'm listening to what you're saying, I'm likening it a little bit to some of the information that's given to students in high school, for example, they have business law courses and that sort of thing, and it really does -- I help students kind of orient themselves into what -- what is going on in society when they -- when they leave. Could you just draw some parallels between that sort of education and what you're proposing?

GARY BERGER: Well, I think that one of the basic things, especially for students who come out of our system, is do I want to pursue my trade full-time and become an apprentice and become a master craftsperson, or do I want to use my skills in the trade to maybe pay for a higher education in another field? I think that the study of unionism and union leaders can be so inspiring that it might make the difference between students coming out of our system and pursuing a career in union work and union leadership or maybe not even considering that as a career path. And I think we do kids an injustice when we leave that part out of the curriculum.

REP. JOHNSON: Thanks so much for your testimony today.

And thank you, Mr. Chair.

REP. FLEISCHMANN: Any other questions?

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If not, thank you, and by the way you didn't say exactly what the person before you said, so you -- you did add value. You can -- you can feel good about yourself.

Is Gary Greco still here? I see shaking of heads, so how about Donna Kosiorowski? Donna?

DONNA KOSIOROWSKI: I'm here.

REP. FLEISCHMANN: Your moment has arrived. And Donna is to be followed by Kathleen DonAroma, if Kathleen is still here.

DONNA KOSIOROWSKI: I thought Gary was here, and I had time to get ready.

My name is Donna Kosiorowski. I'm testifying on behalf of the Association of School Nurses of Connecticut. I'm also a member of AFT, and I'm testifying on behalf of the children of Connecticut. HB 5348

I listened to my colleague, Verna Bernard-Jones, talk to you about school nursing. And what I'd like to do right now is have a conversation that we don't usually have about school nurses. And I think in addition to the emergency care that they provide, the chronic care that they provide, I'd like to share a store with you so that you can highlight the real value of the school nurse.

A 15-year-old boy at a high school, we were having a PPT for his annual review. He had been diagnosed with a learning disability as an elementary student. The team was concerned about him because he had begun to slip as far as his grades, and he had become extremely depressed. The team was trying to figure out was he just getting lazy, was he involved with drugs, what was the situation. The school nurse at the table knew that his diagnosis, neurofibromatosis, which you may know more commonly as elephant man's disease, he was exhibiting those exact symptoms of his diagnosis. The

lesions had affected his brain so he was no longer able to function as well as it did before. It was affecting his appearance, and for a 15-year-old boy to have visible lesions that people could see and altering his appearance was the cause for his depression. Had the school nurse not been at that table, at that meeting, the team would not have known that. So I want to impress on you that even though school nurses care for kids in the clinic every day, the value that they have is making sure that students are in class and ready to learn.

One of the highlights in my testimony to you in the -- under the rationale in the back -- in schools where instruction and learning are the primary goals, every student benefits from assessment and treatment by a school nurse to keep him or her in class and ready to learn. One study showed that students were two times as likely to leave school early on days that the school nurse was not in the building. With all of your educational reform, you can't teach an empty chair. So that's why you need school nurses that have manageable student-to-nurse numbers in our schools so that educational reform can really succeed.

Thank you.

REP. FLEISCHMANN: Thank you. And I'm just wondering, can you clarify from your vantage point as a professional what is a manageable ratio?

DONNA KOSIOROWSKI: You know, people ask me that, and I -- I don't have an answer to that, and I'll explain to you why. Many of you either have been in the hospital or have known people that are in the hospital. When you're in the hospital, if you're critically ill or seriously ill, you might be in intensive care, you might be in a step-down unit or you might be on a regular floor. And the number of nurses that are assigned to those particular areas in the hospital depends on the specific needs of the patients.

In the case of a school system, you have to look at each individual school, the resources you have and the needs of the kids and the families that make up the population of that school. So although Verna mentioned the recommended ratios that NASN, National Association of School Nurses provides, it really has a lot to do with your individual student population. You could have a student that so chronically ill and so impaired that you need one nurse for one student. So I think each school in each school district has to take an assessment of what they have in their buildings to determine what the appropriate number of nurses would be.

REP. FLEISCHMANN: So that was a complicated answer. Are there factors that are key drivers?

DONNA KOSIOROWSKI: Yes. There -- there are formulas, I guess you would call it, that if you have so many children with this diagnosis, so many children with medications, so many children with treatments that they need to have done during the school day, there's a mathematical formula that you can use. Actually, I believe, it's either Vermont or New Hampshire that has that type of a process in place where they use this formula, which I don't have with me, but it does exist.

REP. FLEISCHMANN: Let me say, that's the first I've heard of it, so if you or any of your colleagues were able to get hold of that formula, I think that would be extremely helpful, because we're trying to make sure that children are protected, as are you, and to see some rational basis for determining, here's the ratio for these elementary school students, here's the one for these high school students, based on the academic logical information we have, that would be extremely valuable if you're able to do it.

DONNA KOSIOROWSKI: Okay.

REP. FLEISCHMANN: Thank you.

Other questions from members of the committee?

No.

Thank you very much.

DONNA KOSIOROWSKI: Okay. Thank you.

REP. FLEISCHMANN: Kathleen DonAroma, your moment has arrived, and you're to be followed by Ray Rossomando.

KATHLEEN DONAROMA: Representative Fleischmann and distinguished members of the Education Committee. Thank you for hearing me today on Raised Bill Number 5357, AN ACT CONCERNING A DEAF CHILD BILL OF RIGHTS.

My name is Kathleen DonAroma, and I'm the director of outreach education at the American School for the Deaf. I've been employed at ASD for 39 years. I was an interpreter, commissioner for the Office of Disabilities in New Britain, sign language instructor for emergency personnel and a board member of the recently established Connecticut State Chapter of Hands and Voices, a national parent-driven group with -- with professionals in the field of deafness for promoting educational excellence and resources to families in Connecticut without bias. Connecticut is the 36th state to have such a chapter, and we recently were approved just last week. I'm very happy to say.

I've been fortunate to be raised in a family that includes 15 members of the deaf community in the state of Connecticut. And I, also, went on to the University of Virginia and received a degree in oral education. And I -- I state that comparison because it directly relates to the bill, which is, you know, how do LEAs and how do school systems really figure this -- this all out when they have people that kind of come into their schools with -- with either a very strong oral background or a very strong background in American Sign Language, and sometimes that doesn't

necessarily match up with the student that they have in their school or possibly that they're hiring a person with a background in deafness that maybe has a strength leaning to one side or the other.

When I looked over the raised bill, I -- I really looked at the various sections because the committee has asked more than once, you know, how -- you know, how is it that this bill is needed today. And when I looked at it, and I've used the communication plan actually in my second year as the director, when I saw that the actual services were not matching the needs of the child, very -- it's so very important to make sure that your provider, for example, with a person with a cochlear implant, has a strength and an oral background that's able to look at the child in a way where they're able to analyze what the needs are for auditory and spoken communication and be able to tweak that so that child actually may need a new mapping or made need changes in the program, and they have the expertise to do that, and it's the same for a student that is using American Sign Language. We want a person in the -- in school systems that have a strength, maybe an advanced skill level, in addition to being a certified teacher.

So I ask that you consider the Deaf Child Bill of Rights so we can support children in the mainstream, you know, through identifying their exact needs and providing the right supports for them.

Thank you very much.

REP. FLEISCHMANN: Thank you.

KATHLEEN DONAROMA: Any questions?

REP. FLEISCHMANN: I think that's -- that's my line.

Any questions from members of the committee?

KATHLEEN DONAROMA: Oh, I'm sorry.

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REP. FLEISCHMANN: That's okay. The hour is late, the hour is late.

Questions from members of the committee?

If not, thank you for your good testimony and your patience.

KATHLEEN DONAROMA: Thank you.

REP. FLEISCHMANN: Ray Rossomando to be followed by Steve Kass.

RAY ROSSOMANDO: Good evening, Representative Fleischmann and members of the Education Committee.

My name is Ray Rossomando. I'm legislative coordinator for the Connecticut Education Association. I'm joined here today with one of my colleagues, Gayle Hooker, who is a field representative in the New London area and who is a resident of West Hartford.

We're here to testify in support of three bills that incorporate important lessons of personal need and historical significance into the curricula.

SB305
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GAYLE HOOKER: You've heard a great deal about the Raised Bill 304, and we certainly support all the testimony that you heard.

I'd just like to add a few more points that -- for you to consider. The lessons of these contributions can also be incorporated into many subjects in the curriculum. I encourage you to look at the issue of collective bargaining as it relates to labor history and resolutions of sports, the arts by studying the use of paintings and music in the labor movement, and the role of shared governance in American history symbolized by the two parties negotiating a contract as equal stakeholders. So the issue of how labor

history can be incorporated into the curriculum can be done over a wide range of subjects.

RAY ROSSOMANDO: In addition, we testify in support of Senate Bill 305, which is regarding inclusion of financial management in the curriculum. We think that's a great aspect of instruction that would help empower people to more fully understand repercussions of financial management that we've witnessed over the past four or five years with recession and foreclosure and other issues of personal financial management.

Four other states currently incorporate curriculum into their financial management into the curriculum: Utah, Missouri, Tennessee and Virginia. And we're not asking you to go quite as far as they have in their legislation. We just think it's important to incorporate aspects into instruction.

In a similar vein, we're also support of House Bill 5349, which would provide for the inclusion of CPR and AED training in schools which for reasons, stated earlier by some rather eloquent speakers. And we think it's very important just for general welfare.

Thank you.

REP. FLEISCHMANN: Thank you. I particularly appreciated the way you linked the notion of labor history to so many other strands of American history. I think very few people would have thought in all those different directions, very helpful.

Are there questions or comments from members of the committee?

Representative Kokoruda.

REP. KOKORUDA: Thank you.

Thank you for your testimony. May I ask you, you mentioned Senate Bill 305, concerning inclusion of

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personal financial management in public schools. Four other states have it. You also support Senate Bill 304. Can you tell us if you know how many states have that curriculum also?

RAY ROSSOMANDO: My -- I do not know offhand. I know I've seen research on that. I understand Wisconsin recently incorporated that into their legislation. I think one other state may have, but we can certainly find that information for you.

REP. KOKORUDA: Okay. And what -- and also just to follow through with the -- the last thing you just spoke about, the inclusion of the CPR and AED, is that -- a lot of states doing that now? Are we behind in that? Do you know?

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RAY ROSSOMANDO: I believe John Bailey testified earlier, actually testified to that point. And I don't recall his testimony.

REP. KOKORUDA: Okay. I can get that number. Thank you.

REP. FLEISCHMANN: Other questions for the witness?

Yes, Representative Carpino.

REP. CARPINO: Thank you, Mr. Chairman.

Just a -- something maybe you can help me reconcile. As having met with a large group of teachers, just recently as Saturday, one of their potential issues that they raised with me was being constantly forced to include yet another subject into their already condensed time frame. Without necessarily commenting on the validity of any of these three particular areas, if there's anything that maybe you could shed some light on as we -- it seems like year after year have some very important and valuable topics that we'd love to teach our children, but then on the flip side, hearing from some of the educators that are in the classroom that are being forced to find yet a few more

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minutes in a day to shed light on yet another topic. I didn't know if you had any comments on that thought.

GAYLE HOOKER: Well, as someone who represents the teachers and would be bringing some of those complaints forward, I certainly appreciate what they're saying, but as I've talked with teachers, and because we're able to incorporate it into many other areas, it gives this raised bill an opportunity to be taught. Take, for example, in PE, if we were going to look at the issue of incorporating reading into PE and then looking at collective bargaining and how it was impacted in sports, really gives, I think, an opportunity to raise the discussion of labor history in a whole new area and also to incorporate some of the other skills that teachers are trying to -- to bring to the classroom. So I -- I know that they are skilled enough to be able to take labor history and incorporate into what they're currently doing, and this raised bill provides an opportunity to have a valuable piece of American history not lost.

RAY ROSSOMANDO: And if I could -- can I just supplement Gayle's answer?

We're not necessarily talking about new units. What we're talking about is incorporating intercurriculum labor history. And if you look at the bill, subparagraph A talks about inclusion into the bill. But I think the more important aspect of the bill is subparagraph D, which actually talks about the State Board of Education having at the -- to provide to the teachers some background on -- on curriculum, so curricula could be developed that could then be used to integrate into the curriculum. So it's not so much teaching a whole new unit. It may be teaching things that -- with a new lens, for example, you know, we teach history with, you know, focus on military history, political history, sometimes a focus on industrial entrepreneurs, you know, nobody else -- teach history and economic history with some component of which we talk about how working people have bound

together to become more powerful and to voice their concerns and to change the world for their interests. That's all.

REP. CAPINO: And I appreciate your comments. And my question wasn't directed to that one particular bill but just to the process, in general, where hearing from the teachers in my district, they're just constantly being pressed to put more and more subjects into the same number of hours. And I was just looking for some guidance but thank you.

Thank you, Mr. Chairman.

REP. FLEISCHMANN: Thank you.

Representative Lavielle.

REP. LAVIELLE: Thank you, Mr. Chairman.

Thank you for your testimony. And I -- I'd like to follow on a bit to Representative Carpino's line of questioning, because when you -- when you've been in these Education Committee meetings for a while, you know, one of -- one of the things that seems to be an issue for us, in Connecticut, and probably in many parts of the United States at the moment, is -- is the idea that some of the foundation that students need when they're younger -- reading, math, critical thinking, the ability to take a subject apart and really get at all the angles, you can take almost anything, you can take any subject and the -- the foundation of a liberal education is to be able to look at it from all the different angles and -- and analyze it and look at the implications and see how it's progressed through history. Those are -- those are -- that's a great thing to do with almost any subject.

And you've mentioned three, because that's the bills that we have before us today, but I kind of got the impression that as, you know, we look at this lack of

foundation, you could -- you could teach people technology, for example, but unless they know what to do with it, they're not going to be able to optimize their -- their knowledge. So the foundation is lacking -- and it -- it seems to me we keep piling stuff on -- on top of people who may be have not yet gotten the equipment to learn a broad range of subjects. On top of that, we've got the common core that we're supposed to be integrating soon, and I just wondered how you would react -- I'm sorry. I talked a bit much there -- but how you react to the notion that maybe we're just -- we're piling it all on a bit thick right now, maybe we ought to sit back, get the foundation straight, get the Common Core straight and then think about new things we might want to add or incorporate or weave in.

RAY ROSSOMANDO: I'm sorry. We're not asking to add to the common core. We -- we think that there are --

REP. LAVIELLE: No, I understood that.

RAY ROSSOMANDO: We can incorporate into the Common Core certain aspects of instruction that provide important lessons to be used in many different disciplines. So we don't see this as an addition to -- to anyone's plate so much it is it's given them -- giving them new tools to teach something in more interesting ways.

GAYLE HOOKER: And -- and I would certainly agree that there are -- there's just a world of things that have to be done. And so superintendants and curriculum directors and principals are going to sit down with teachers if they decide how they're going to teach a course from each semester and see if this is a way in which -- what they want to do can meet some of the needs that are expressed in this raised bill. I think it -- having the opportunity to have it there, gives it one more tool. I think they'll have to then decide how that then is managed, incorporating it all of the other things that have to be done, as well as meeting

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what are really the most significant things which are, you know, addressing the common core issues, as well.

REP. LAVIELLE: (Inaudible.)

GAYLE HOOKER: I have great faith in our principals and superintendents and curriculum folk.

REP. LAVIELLE: Who have so much to do.

Thank you very much.

Thanks, Mr. Chairman.

REP. FLEISCHMANN: Thank you.

Any other questions?

If not, thank you very much for your thoughtful testimony and your patience.

Next up is Steve Kass to be followed by Gil Lancaster.

Welcome.

STEVE KASS: Thank you. Good evening, Representative Fleischmann.

I'm here on behalf of the Greater New Haven Labor History Association, and I'm also a 35-year veteran teacher, taught in New Haven public schools. And so I'm here to testify about the Labor History Bill. And SB304 I have the answer to your question, Representative Fleischmann, okay, in my testimony.

So I'm going to start with Hubert Humphrey, former vice president, who said, "the history of the American Labor Movement needs to be taught in every school in this land. America's a living testimony of what free men and women organizing to free democratic trade unions can do to make a better life, we ought to be proud of it."

So according to a poll by an independent, Hart Research, 54 percent of adults said they know little or not much about unions. They said their chief source of knowledge was personal experience, people in unions and the media. Significantly, learning in school was not even mentioned. The implications of the research are clear. To a very large extent, Americans are uninformed or misinformed about unions, the Labor Movement, and the role that workers have played and do play in our nation's economic cultural and political life. For this reason, we're proposing legislation requiring the teaching of labor history in the schools. The purpose of the legislation is to get laborers' untold story told, that's really what it's about. Though legislation follows the lead of Wisconsin, which passed a similar legislation in 2009, and currently there's legislation of labor history bills across the country going on right now.

Unfortunately, apathy and indifference are at the center of young peoples' lack of understanding the role of unions and labor history. Students have been taught little or no labor history. Because of this, generations don't have a basic understanding about the historical role that unions played in helping to create the middle class. We're really talking about unions and the middle class. They don't know that it was unions that gave American society the weekend, minimum wages, health-care benefits and social security, Medicare, 40-hour work week, and unemployment insurance. Most people don't know how important the Labor Movement was in pushing Depression Era politicians to pass legislation that systemizes the basic features of American wage -- of American work which wage earners now take for granted.

So here's to answer your questions, Representative Fleischmann, in a new report commissioned by the Al Shanker Institute called "Labor's Story Left Out of High School History Textbooks," it finds that most Americans never get the information they need to

create informed opinions about labor's role. The reports surveys four major textbooks that together account for most of the market in US history textbooks in this country and called the coverage of the Labor Movement spotty, inadequate and slanted. This report just came out as of September 2011. The textbooks represent labor history in a bias negative way, for example, focusing on strikes and violence while neglecting labor's role in bringing the history of Americans into the middle class.

Randy White Garner, the president, says, the report explains why so few Americans know much about labor's history and contributions. It creates a devastating picture of distortion and omission.

So, to summarize, it's just time to rebalance the scales. Trade unions in Connecticut, too, have taught the nation. They have contributed to our way of life helping to create universities. Labor unions are part of Connecticut's heritage. Most Connecticut families have a labor tradition. The cost to school districts will be minimum. And lastly, the story of labor and workers can provide much more excitement in the classroom.

Last quote, closing, the president in the Wisconsin Labor History Society says, quote, Our sons and daughters deserve to know what the fruits of our labor were not handed down to us by those in power but rather won by the efforts of extraordinary people who sacrifice to produce a better life for us.

REP. FLEISCHMANN: Thank you. So in terms of the issue that I had been asked about earlier, the short answer would be the textbooks have changed.

STEVE KASS: The textbooks have changed dramatically, and they've been changing since the New Deal, you know, and that they -- they're mostly portrayed in an anti-union way. So it is spotty --

REP. FLEISCHMANN: Actually, the short answer was fine. That's all right.

Are there other comments or questions from members of the committee?

If not -- oh, Representative Johnson.

REP. JOHNSON: Thank you, Mr. Chair.

And thank you for your testimony today. Just quickly, in terms of why the textbooks have been changing, I just wonder what kind of input the State has for purchasing textbooks that have a variety of helpful information to students. I've been hearing, for years, that the textbooks have been in adequately informing the students. And I just wondered, since you do teach the subject matter, you know, exactly what it is that we could do to remedy a situation like that?

STEVE KASS: Well, a lot of the textbooks are sold to the big markets so we'll have the textbooks originate in Texas, okay, so that explains a lot there, and also in California. And so the book companies address the big -- the big major companies. And so there's not like there's -- you know, not standards, there are standards, but what's in the textbook doesn't match the standards. There's a mismatch.

REP. JOHNSON: So the standards don't -- but because -- because the printing costs are lower, because they -- they -- they're sold in markets, like Texas and California.

STEVE KASS: Yes.

REP. JOHNSON: It seems like Texas would have a different textbook from California.

STEVE KASS: Yeah. I know, but they -- they really address the big markets and that's what shapes it.

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REP. JOHNSON: Thank you. Thank you for your testimony.

Thank you, Mr. Chair.

STEVE KASS: My pleasure.

REP. FLEISCHMANN: Thank you.

Any other questions?

If not, thank you very much.

And we moved to Gil Lancaster to be followed by Cindy Bankoski.

Welcome, Dr. Lancaster. I imagine rarely have you spent more hours being less recompensed, but --

GIL LANCASTER: Well, I was wondering whether this is what a filibuster feels like.

REP. FLEISCHMANN: No. There would have been fewer witnesses and more talking.

GIL LANCASTER: Well, thank you, Representative Fleischmann and members of the Education Committee. I'd like to thank you for taking on this very important bill, that's HB 5349, CPR.

My name is Dr. Gil Lancaster. I'm the director of noninvasive cardiology at Bridgeport Hospital, an associate clinical professor of medicine at Yale, and a president of the Connecticut Chapter of American College of Cardiology, an organization that represents most of the doctors and nurses that treat heart patients in Connecticut.

Our national organization, the American College of Cardiology, was an innovator of evidence-based medicine with the development of medical guidelines and appropriate use criteria for tests. Tools that

are now the backbone of quality healthcare around the world. It is an unfortunate fact that just about every one of our members has an encounter with someone who has had an out-of-hospital cardiac arrest. For these victims, time is of the essence. If cardiopulmonary resuscitation, or CPR, is initiated early, the chance of death or permanent brain damage can be reduced significantly. This has been estimated that for each minute that CPR is delayed, the chance of survival decreases by 7 to 10 percent. You've heard that before. What you haven't heard is that if the bystander has been schooled in CPR, there is a seven times greater likelihood that they would initiate CPR.

With this sobering fact, the American Heart Association came out last year with a scientific advisory advocating that all high school students be taught the CPR, as well as the use of the automated external defibrillator, or AED for short. In short, the document explained that CPR is much more successful if a bystander has been trained in CPR and the use of an AED and that having such a program and high schools will raise a generation of first responders.

Our organization has a cadre of volunteers who are ready to help you establish such a program and make sure it becomes an integral part of every high school student's education and skill set. Many of our members are not only -- not only teach CPR to other healthcare professionals, they also teach people how to teach CPR, and they are eager to do so in -- if this -- in the schools.

So, in summary, we, the cardiology community of Connecticut, urged that hands-on training in CPR and AED be a graduation requirement for all high school students in Connecticut so that we can raise many generations of first responders and lifesavers. The life they save may be yours. We, the American College

of Cardiology, want to help you make this bill and this program a success.

REP. FLEISCHMANN: Thank you for that very good testimony, and, you know, there was some questions posed earlier that I realize could be posed in parallel to you. So I'll just put it out there. You heard from me earlier. I obviously see the value in having all these young people trained to be first responders, but there are a lot of different items being thrust onto the agendas of educators. And I'm just wondering, given all the different demands on educators and in health education all the different directions we could go, because there are lots of ways that young people could be better educated about health, why do you believe CPR and AED education ought to top the list?

GIL LANCASTER: Why? Because this is an important skill set not just to understand for lifesaving, it's also something that's very self-fulfilling for the student and something that, I think, would be something that they could carry on further on.

REP. FLEISCHMANN: And in terms of payoff, we heard testimony earlier that the American Heart Association had the sense that you could teach the core skills in under an hour and have someone ready to provide a response that could save a life. You're, you know, a board-certified physician in this field, do you concur with that opinion?

GIL LANCASTER: Yes. I -- actually, let me -- I have a little bit more information about the American Heart Association programs. There are two program levels. They're actually many levels, and the American Red Cross also has a program that a lot of the -- the full-time firefighters are -- are doing. But the -- the American Heart Association has something called "Friends and Family." That's the one that was earlier testified, and that one is, I think, a half an hour video and -- and there are kits, self-contained teaching kits, that are available. The estimated

price for that was, essentially, a dollar a student, for that level of care.

The higher-level is a two-hour program that allows for hands -- for -- actually leads to certification. Both of them are hands-on training, both of them allow you to get the skills necessary to perform CPR. The AED training is separate from the Friends and Family program so -- but that's generally is pretty easy. I have an AED simulator here that I think I showed you in prior meeting, but it's a very easy thing to teach. And once someone is exposed to AED, the use of AED, they're very, I mean, it -- all the fear goes away and they're much more likely to use it.

REP. FLEISCHMANN: Thank you. You actually managed to answer a question that I had been thinking of but hadn't posed so thank you.

Other questions or comments from members of the committee?

If not, thanks so much for your patience and your expertise and your testimony.

Cindy Bankoski to be followed by Trish Witkin.
Neither Cindy nor Trish appear to be still here?

TRISH WITKIN: Hi.

REP. FLEISCHMANN: Welcome.

TRISH WITKIN: I'm Trish Witkin. I'm the president of the Connecticut Association of Athletic Directors. CAAD serves over 230 athletic directors and represents 184 high schools and 151 middle schools in the state of Connecticut.

And I'm here tonight to speak in favor of Raised Bill 5354. Tonight, I'm here to ask you to elevate the position of the athletic director through title recognition and acceptance of changes to the

qualifications, which include a nationally recognized certification program. The position of athletic directors is an important one and arguably one of the most difficult in a school system. Responsibilities of an AD have grown tremendously over the years, impacted significantly with recent legislation, such as the need to ensure all coaches are properly credentialed, the need to evaluate all coaches and to train our coaches in the awareness of symptoms and proper care of head injuries.

The duties and responsibilities of an athletic director include, but are certainly not limited to: hiring, supervising and overseeing all their coaches, their performance and certification; scheduling of practices and contests with other schools; to carrying official buses and support staff; attending constantly to the condition of facilities, fields and equipment, and ensuring safety; developing and implementing budgets, spending in a fiscally responsible manner with budgets that are sometimes not adequate enough to maintain the program. And AD must communicate regularly with school personnel, community members, the media, parents and colleagues. We must assure all programs and personnel are in compliance with our school, CIAC, and Federation rules and regulations. We must establish, educate, and execute a site management plan in concert with administrators, police, EMT and others to ensure safe contest for all participants, spectators, and officials. We maintain all student records relative to athletics, such as academic eligibility, medical eligibility, rosters and awards. We recognize student athlete accomplishments and successes, and provide opportunity for their growth in leadership and community service. We educate parents, coaches and student athletes on the perils of substance abuse, the importance of proper nutrition, head injury prevention and care, the dangers that can come about with social media sites, the harm in hazing and initiation acts, among many others. We are -- we need to provide equitable opportunities for all of our -- our participants. ADs

must continue to provide and ensure good sportsmanship and fair play are being learned by all our participants.

And lastly, but certainly not least, a safe and healthy environment must exist for all students.

I thank you for the opportunity to be here tonight to speak about the bill. We would like to see the bill go through with some changes to the language as suggested in our testimony. My testimony was submitted earlier, and I hope that by your passing this bill it will help to define the position of athletic director and strengthen the qualifications for that position.

REP. FLEISCHMANN: Thank you. And I have a quick question for you, which is -- we're not the only state to have schools which employ people with the title athletic director. I was somewhat stunned to learn that we lack any real statutory definition of the position or the necessary qualifications. The recommendations that you offer, do they relate to standards that already exists in other states? And if so, could you tell me which ones?

TRISH WITKIN: In the -- in the proposal that we submitted the qualifications of the teaching certification and the administrative certification for different levels of position -- positions would be consistent with other states across the country. And also, specifically, the information that we provided on the National Interscholastic Athletic Administrators Association Certification and Leadership Training Program, that would be consistent with what many of our counterparts across the country are providing for the student -- excuse me -- the athletic directors in their state.

REP. FLEISCHMANN: And do you have any idea why it is that Connecticut lacks any of these standards while the other states have them?

TRISH WITKIN: I think you're going to hear testimony a few people after me from somebody who could probably answer that a little bit better. I think, for us, it's just recognizing the need to put that in the statute to define the position and put qualifications in there to serve the needs of our athletic administrators.

REP. FLEISCHMANN: Thank you.

Are there other questions?

Representative Davis.

REP. DAVIS: Thank you, Mr. Chairman.

And good evening.

You said you had the -- some recommended changes to the proposed language. What is the problem or the shortcomings of the language that is -- it's proposed now in the bill?

TRISH WITKIN: Currently, the -- what's in the bill right now leaves in the level of an athletic -- a person could serve in the position of an athletic director merely holding a coaching permit and a coaching permit is easily attained. And we feel that the position of athletic director should have stronger qualifications than just a mere coaching permit. We would also like to see the language included that recognizes the National Certification Program as an equivalent or in lieu of the Connecticut Teaching Certification and the Connecticut Administrators Certificate.

REP. DAVIS: Are athletic directors now required to evaluate coaches? Or -- somebody is supposed to evaluate the coaches?

TRISH WITKIN: That is correct. And it is different from district to district. And it depends on the status of

-- of that particular athletic director in that district and what credentials they hold.

REP. DAVIS: Would the changes you propose rectify that, make it standard that an athletic director would be able to or -- or is there still something else that we need to do?

TRISH WITKIN: If the athletic directors pursued the Administrators Certificate or the Certified Master Athletic Administrator, those would be considered equivalent. That -- the CMA would be equivalent to that and would afford that district the opportunity to allow that athletic director to evaluate coaches.

REP. DAVIS: Okay. Thank you.

Thank you, Mr. Chairman.

REP. FLEISCHMANN: Thank you.

Other questions?

Dr. Srinivasan.

REP. SRINIVASAN: Thank you, Mr. Chairman.

In your -- thank you for your testimony. In -- as you were concluding your testimony, you talked about a safe environment for our children, which, obviously, we all know how important that is, and how many a times a safe environment does not exist. Unfortunately, we've hear that story over and over again. Do you see the role of this athletic director now that you're going to have making sure that the -- is that going to be one of the responsibilities of the athletic director in -- under his purview, to ensure of a safe environment to -- for the kids when they are under him or under her?

TRISH WITKIN: I do think that's a primary responsibility of an athletic director right now and believe that

what we do really day in and day out is to ensure that safe environment, and that comes in many forms, through educating our student athletes and our parents and our coaches on many topics: concussion, legislation being probably the most recent; but also in our site management plans in preparing our fields for safe play; at the conclusion of a game we need to provide safe passage of our officials from the field as well as certainly our student athletes and spectators. So this is what an athletic director does on a regular basis. I think this would just continue to -- to strengthen the position but also -- it -- we would continue to do the same job, again, that's still being paramount in what we do.

REP. SRINIVASAN: And if I may, Mr. Chairman.

On -- when I was referring to a safe environment what you mentioned, thank you very much for saying all of that, which is very important, but I was also being -- well, thinking about from a point of the environment being safe from sexual harassment and those kind of things that you see quite often happening in schools, (inaudible) directors, and so on and so forth. Would that also be included in the responsibilities of the athletic director?

TRISH WITKIN: Yes. I do believe that would be part of -- and continue to be part of the role of an athletic director. We do have coaching education in the state that we provide. Athletic directors are trained to instruct that coursework back in our own districts and we can bring that to our coaches, as a whole, and certainly address issues with -- in concert with our school administration. Should that happen or should we be heading that path, an athletic director would address those concerns immediately.

REP. SRINIVASAN: Thank you.

Thank you for this testimony.

**JOINT
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**EDUCATION
PART 7
2026 – 2366**

2012



STATE OF CONNECTICUT
STATE BOARD OF EDUCATION



Testimony of Commissioner Stefan Pryor
March 5, 2012

Honorable co-chairs, ranking members, and members of the Education Committee, thank you for the opportunity to testify at today's public hearing.

First, thank you again for your consideration of S.B. 24, the Governor's omnibus education reform initiative. I am looking forward to continuing to work closely and collaboratively with you over the coming weeks to refine the bill and to address and incorporate your suggestions. Thanks to the Governor and the General Assembly, Connecticut has reached an historic moment for revitalizing our schools – one that we can't let slip away.

Today, I would like to register my support for the concepts underlying many of the bills you are considering. Some of these bills will require additional analysis. I'm confident that we can work together to glean the best ideas from these bills, including several that can be harmonized with the Governor's proposal.

H.B. 5350, An Act Concerning Achieving Universal Literacy by Grade Three, is a bold initiative. The Governor's proposal endorses its specific approach in two parts of S.B. 24 – by including the strengthening of data-driven early-grade reading programs as one avenue by which Alliance Districts can qualify for their conditional funding allocations, and with funding for a pilot program to support special early-grade reading assessments in a handful of districts. Representative Holder-Winfield has led these efforts, and I'm confident we can continue to work together to support other worthy aspects of this bill and to harmonize proposals with existing programs where necessary.

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Likewise, I'm pleased to see on your agenda H.B. 5352, An Act Concerning Student-Centered Learning. This is a concept championed by CAPSS, and of which we are supportive. We support a pilot program to explore this idea. Funding is included to this end in the Governor's proposed budget, and our support for the idea is registered in the booklet we published alongside the Governor's proposal.

SB301

H.B. 5356, An Act Concerning Bridges Between Public Schools And Institutions Of Higher Education, is a laudable proposal. As you know, many graduates of our low-performing schools move on to higher education, only to require remedial coursework upon their arrival. One piece of this problem is that our high schools do not identify and address the needs of students at risk of being underprepared. This bill would establish a pilot partnership between a priority school district and an institution of higher education that would include a grade eleven assessment to determine college readiness, and a program to encourage linkages between Common Core State Standards and universities' expectations for college readiness. The Governor's bill, as you know, also proposes an assessment for high school juniors to assess college readiness.

H.B. 5348, An Act Concerning School Nurses and School Medical Advisors, proposes to strengthen the presence of school nurses in school districts, and to establish an Advisory Council to examine professional development for school nurses. We look forward to developing a clearer understanding of the implications of this bill.

S.B. 300, An Act Concerning Early Childhood Education, addresses the preparation provided to our youngest children. As you know, S.B. 24 includes new funding for 500 additional children to attend early childhood programs around the state, as well as dollars to increase provider quality. We believe this is an important down payment on our shared long-term goal of achieving high-quality, cost-efficient universal pre-k.

Two bills up for discussion today, H.B. 5353, An Act Concerning Individualized Education Programs And Other Issues Relating To Special Education, and H.B. 5357, An Act Concerning a Deaf Child Bill of Rights, are in the domain of special education. As you know well, special education is an intricate, highly regulated, and cost-intensive set of programs. The SDE's Bureau of Special Education is undertaking an analysis of these bills' conformance with federal law and best practice. We will present the committee with this analysis when complete. I look forward to working with the committee on these potential measures.

S.B. 301, An Act Concerning the Open Choice Program, would reduce funding available to RESCs for the purpose of transporting students for choice programs. This bill gives cause for concern. The RESCs are the state's crucial partner in, among other areas, fulfilling our obligations to give parents choice and to achieve racial diversity in schools. We should approach with caution proposals to cut funding for these programs.

H.B. 5351 proposes changes to the Technical High School System. It is crucial that we support the Technical High Schools' dual missions of providing thousands of our youngsters with a high-quality education, and the training of a world-class workforce to help revive the state's economy. We agree with this bill's authors that a new governing board is needed to encourage closer alignment between the schools and the needs of the business community, and the Governor's package includes a proposal for a new governing board as well. We look forward to further study of H.B. 5351's recommendations.

Again, thank you for considering my testimony today. We look forward to continued close collaboration on all of the bills being discussed today.

AFRICAN-AMERICAN AFFAIRS COMMISSION
STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591
(860) 240-8555
FAX (860) 240-8444

Testimony before the Education Committee

Monday, March 5th, 2012

12:00 PM in Room 2C

Good afternoon Senator Stillman, Representative Fleischmann and members of the Education Committee. My name is Frank Sykes the Legislative Analyst with the African-American Affairs Commission (AAAC) a non-partisan state agency. This Commission is an advocate for the African-American community. We accomplish our mission primarily through research, policy analysis, outreach and information sharing. We are here today to speak in support of House Bill (H.B) 5350 – An act concerning achieving universal literacy by Grade 3 and HB 5353 – An act concerning individualized education programs and other issues relating to special education

Firstly regarding HB – 5350 according to the Connecticut Department of Education, since 2006 the Connecticut Mastery Reading Test Scores for African-American children at the 4th grade has consistently been 20% points lower than the state average. National Assessment of Educational Progress (NAEP) findings, report that black students reading level at grade 4 has not improved. Once a student is this far behind at the 4th grade, special intervention must be provided if that child is expected to perform at grade level. Studies indicate that it is very difficult to correct this reading deficit beyond the 4th grade. By the fourth grade, elementary school teachers do not have the training to correct the students' reading deficiencies. Classroom teachers are expected to have 4th graders meet academic standards outlined in the State's Framework. Therefore it is important that resources are directed to children in K-3 to correct this imbalance.

However in addition, parental involvement is crucial in determining whether a child is placed in special education or not. For many low income minority families the lack of time, resources and conflicting schedules prevent many from maintaining active engagement in their child's academic development. In some cases schools make decisions on students without equal or sufficient participation from parents. Processes should be implemented, such that schools can work around a parent's schedule. In cases where that is not possible independent advocates should be easily accessible to represent the parents. This bill is not far reaching enough, however we are supportive of it because at least it seeks to put measures in place that should offer further examination of the correlation between teacher training and reading and how it impacts the misplacement of students in special education.

Regarding HB – 5353, the Commission generally agrees with the recommendations in the bill. Strengthening the communication process of the IEP between parents and staff is beneficial to all the stakeholders in improving academic performance. That said we feel that at some point it may be necessary to shorten the period when a child retests after the individual education plans (IEP) plan is established. It is our understanding that children in an IEP plan have to retest after 3 years yet some students may have already met the benchmarks set in the IEP, therefore it may be necessary that testing is done earlier to reflect the student's development. The purpose of the IEP should be to recognize and document improvement when such change occurs. Another concern we have is that when there is plan to change a child's paraprofessional the parents must receive prior notification. I know firsthand that this is not always case. Prior notification for an easier transition for parents, child and school should be beneficial to all parties.

In view of these findings we ask you to support both bills and thank you for the opportunity to testify.



Testimony before the Education Committee

March 5, 2012

HB 5353: An Act Concerning Individualized Education Programs and other Issues Relating to Special Education

Good afternoon, Senator Stillman, Representative Fleischmann and members of the Education Committee. My name is Daniela Giordano, and I am the Public Policy Director for the National Alliance on Mental Illness, CT (NAMI-CT). I am here today on behalf of NAMI-CT to support the important undertaking of enhancing education including special education in Connecticut.

We would like to thank the Education Committee for raising a bill that proposes important changes to the laws concerning Individual Education Programs (IEPs) for children requiring special education. The bill improves the dissemination and communication of information regarding individualized education programs to parents and guardians. The bill also addresses the need for teacher training regarding the implementation of individualized education programs

While enactment of this bill would do a great deal to help parents and guardians and would provide for needed teacher training, this bill unfortunately does not address an issue of utmost concern to NAMI-CT: the use of seclusion in schools. Under current law, seclusion may be part of an IEP. However, there is no evidence that seclusion has therapeutic value or enhances educational outcomes. We cannot allow schools to rely on seclusion as an effective treatment. Instead, ***we must work with school administrators to train school staff and teachers to use positive behavioral interventions that have proven success in de-escalating problematic behavior.*** CT should have the safest, most effective and humane teaching and learning environments in the country. That is not the case now. We can fix that.

There is no evidence-based research to suggest that the seclusion of a child is therapeutically effective. To the contrary, research demonstrates that seclusion can be both physically and psychologically harmful. Rather than seen as a way to promote self-regulation, experts generally view seclusion as a "treatment failure," as this practice actually promotes more emotional and behavioral disruptions.¹

¹ National Disability Rights Network (NDRN), School is Not Supposed to Hurt, 27 (January 2010)

We propose that the limitations on the use of seclusion in schools be the same as the limitations that Connecticut currently places on the use of restraint; i.e., that seclusion be allowed in emergency situations only and not in an IEP. The following states limit the use of seclusion to physical safety emergencies only or ban the practice entirely: Oregon, Colorado, Louisiana, Tennessee, Vermont, Wyoming, Georgia, Maine, Nevada, Pennsylvania and Texas²

A child's IEP documents the educational program to be provided by the school to a child with a disability so that the child receives a free appropriate public education. Because seclusion does not constitute an educational program, treatment, therapy or service, nor does it provide a student with a free appropriate public education, it should not be a part of an IEP.³ Rather, an IEP must include positive behavioral interventions, supports and de-escalation techniques that are proven to be effective methods in reducing problem behaviors and can actually increase classroom learning.⁴

Limited surveying done by the CT State Board of Education (SDE) produced alarming, if imperfect, data, with over 18,000 incidents of restraint or seclusion used in CT's public schools in school year 2009/10. This high number of (emergency) restraints and seclusions is of great concern to NAMI and points to a need to adopt more positive behavioral support practices to be used in schools and better data reporting so that we have an accurate picture of the extent of the use of restraints and seclusions.

Ongoing staff training regarding the proper use of interventions is very much needed. Students' needs must be assessed on an individual basis, and addressed via state of the art, skill-building interventions. Introducing these approaches enhances the learning environment for everyone.

Thank you for your time. I am happy to answer any questions you may have.
Respectfully yours, Daniela Giordano

241 Main Street, 5th Floor, Hartford, CT 06106 • (860) 882-0236 • (800) 215-3021

Fax (860) 882-0240 • Website www.namict.org

² Jessica Butler, *How Safe Is The Schoolhouse? An Analysis of State Seclusion and Restraint Laws and Policies*, 14-5 The Autism National Committee. (January 20, 2012)

<http://www.cpacinc.org/2012/01/analysis-of-state-seclusion-and-restraint-laws-and-policies/>

³ National Disability Rights Network (NDRN), *School is Not Supposed to Hurt*, 27 (January 2010).

<http://ndrn.org/images/Documents/Resources/Publications/Reports/School-is-Not-Supposed-to-Hurt-NDRN.pdf>

⁴ National Disability Rights Network (NDRN), *School is Not Supposed to Hurt*, 29 (January 2010)

<http://ndrn.org/images/Documents/Resources/Publications/Reports/School-is-Not-Supposed-to-Hurt-NDRN.pdf>



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860-525-5641, 800-842-4316
Fax 860-725-6328
www.cea.org

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**WRITTEN TESTIMONY OF
ROBYN KAPLAN-CHO,
CONNECTICUT EDUCATION ASSOCIATION (CEA)**

**REGARDING RAISED BILL NO. 5353
"AAC INDIVIDUALIZED EDUCATION PROGRAMS AND OTHER
ISSUES RELATING TO SPECIAL EDUCATION"**

BEFORE THE EDUCATION COMMITTEE

MARCH 5, 2012

Senator Stillman, Representative Fleischmann and members of the Education Committee.

My name is Robyn Kaplan-Cho and I am employed by the Connecticut Education Association where my responsibilities include advising and educating teachers about special education laws and regulations.

R.B. 5353 stems in part from the recommendations of the legislatively created IEP Task Force that met last year. It bears noting that of the 21 appointed members of the Task Force, there was not one regular or special education teacher. The only representative of the non-administrative certified staff was a school psychologist. The majority of the members were administrators, parents, and parent advocates. This was disheartening given the vital role that both regular and special educators play in the special education process.

Throughout the meetings, there was much discussion among the Task Force members of the increasingly key role that regular educators, in particular, play in the lives of special education students, given that more special education students than ever are being included in regular education placements. Even after the Task Force members recognized the need to seek a broader perspective from school staff and

approximately ten "experts" were invited to address the Task Force, not one actively employed special or regular education teacher was included.

Consequently, CEA welcomes the opportunity to provide the perspective of all certified school staff on this bill.

Section 1 of this proposal amends 10-76d of the statutes to require districts to offer parents a pre-PPT meeting with a member of the PPT, specifically to discuss the process and any parental concerns before the initial PPT meeting. In practice, parental requests for pre-meetings with select staff members are accommodated as a courtesy when it is possible to do so. However, these new requirements could become very time consuming and impractical for school district staff that is already stretched thin and facing ever-increasing obligations and mandates competing for time. Moreover, we are concerned that if a pre-PPT meeting is required when requested by a parent, it could result in extending the timeline for implementing the IEP, which may not ultimately be in the best interest of the student.

Section 1 also mandates that parents receive evaluation results at least 3 days prior to the PPT meeting when so requested. There is no question that it is more beneficial for the parents to have an opportunity to read the evaluation information prior to attending the PPT meeting. In fact, many districts already supply this information to parents in advance of the PPT as a matter of practice. However, given diminishing resources and the number of people and procedures involved in the evaluation process, it is not always possible to do this. Establishing a deadline 3 days prior to the initial PPT – especially if the pre-meeting proposed in this bill is also enacted – could create unnecessary obstacles resulting in missed deadlines and/or diminishing quality of the evaluation itself.

Therefore, CEA supports the goal of providing parents with evaluation results prior to the initial PPT meeting provided that sufficient staffing levels and resources are available to complete this task within the proposed mandated time frame.

Section 2 of Bill 1038 would require all teacher candidates, no matter what their area of study, to have instruction in the development and implementation of student individualized education programs (IEPs). This mandate is unnecessary. Current law already requires teacher candidates to take a course in special education, and new pre-service teacher competencies require all teacher candidates must demonstrate their ability to plan, implement, and assess instruction for students with a wide range of abilities and learning needs.

This same bill would require all special educators to earn 10 hours of continuing education unit credit (CEU) in implementing IEPs, and communicating IEPs to parents, as part of the 90-hour requirement to renew their professional educator certificates. Although the future of CEUs is uncertain at this point given the numerous proposals before the legislature this year, it bears noting that this mandate is unnecessary. Special education preparation programs include these topics in their course of study, and this is reinforced through the pre-service teacher competencies as they apply to special education. The day-to-day tasks of a special educator

also require them to implement IEPs and communicate with parents, which continuously refines their skills. Mandating CEUs in this area would take time from other areas of study special educators would pursue through continuing education, which would be a disservice to students in the long run.

In light of the significant role discussed above that all staff, both regular and special education, play in the education of students with disabilities, CEA supports the provision in Section 3 that specifies that in-service programs include training in the implementation of IEPs for all teachers, administrators and pupil personnel staff. However, it is important for this professional learning to be planned and implemented collaboratively with teachers, and based on their identified needs, using appropriate learning formats.

Thank you for your time and consideration.



330 Main Street – Third Floor - Hartford, CT 06106
 Phone 860 548 1747 Fax 860 541 6484 www.conncase.org

Testimony of David Scata, ConnCASE Legislative Representative
 Education Committee
 3/05/2012

Raised Bill No. 5353

AN ACT CONCERNING INDIVIDUALIZED EDUCATION PROGRAMS AND OTHER
 ISSUES RELATING TO SPECIAL EDUCATION

Senator Stillman, Representative Fleischmann, and Distinguished Members of the Education Committee, my name is David Scata, Legislative Representative of ConnCASE. ConnCASE represents over two hundred public school administrators of special education in the state of Connecticut.

I am providing this testimony in support of Raised Bill 5353, An Act Concerning Individualized Education Programs and Other Issues Related to Special Education.
 I would refer to the two aspects of the new language:

B) Upon request by a parent, guardian, pupil or surrogate parent, the responsible local or regional board of education shall provide such parent, guardian, pupil or surrogate parent an opportunity to meet with a member of the planning and placement team designated by such board prior to the referral planning and placement team meeting at which the assessments and evaluations of the child or pupil who requires or may require special education is presented to such parent, guardian, pupil or surrogate parent for the first time. Such meeting shall be for the sole purpose of discussing the planning and placement team process and any concerns such parent, guardian, pupil or surrogate parent has regarding the child or pupil who requires or may require special education.

G) Upon request by a parent, guardian, pupil or surrogate parent, the responsible local or regional board of education shall provide the assessments and evaluations used in the determination of eligibility for special education for a child or pupil to such parent, guardian, surrogate parent or pupil at least three school days before the referral planning and placement team meeting at which such assessments and evaluations will be discussed for the first time

The proposed language provides the opportunity to help parents and or guardians to be better informed of the Planning and Placement Team process if requested. Providing parents the opportunity to meet with the PPT team prior to the first meeting of an initial referral would hopefully bring a comfort level to the parent and enable them to feel an equal member of the team which they are. In addition, most schools will review with parents the educational evaluation especially very involved evaluations prior to the PPT that reviews said such evaluation. If a student has had an extensive evaluation from multiple disciplines the time to review each at the PPT can become time intensive and may at times be overwhelming for a parent to hear the information for the first time. The opportunity if requested by the parent would help to answer questions and concerns by the parent prior to the PPT and thus enable them to become more informed decision makers for their child's educational program

Both aspects of the proposed language should be considered as good educational practice.

Sheila Matthews Cofounder www.ablechild.org
Contact: (203) 253-0329

Ablechild is a nationally recognized 501(3)c non-profit parent's rights organization. Ablechild was recently featured on CNN Special Projects, Perry's Principles (Quick to Medicate) December 10, 2011. Ablechild contributed to the groundbreaking Diane Sawyer ABC 20/20 year long investigation into the drugging of foster care children which was shown to be a major problem not only within the state of Connecticut, but throughout the Nation.

Ablechild was founded by two moms, Patricia Weathers and myself, Sheila Matthews. Both our schools diagnosed our boys with ADHD through the IEP process in our school system. This diagnosis was based off a "subjective" ADD checklist. We were never informed during the entire IEP process that this ADD/ADHD checklist was subjective and was not endorsed and had never been endorsed by the Board of Education, the State or Federal Government.

We have submitted below letters from the Board of Education, State of Connecticut and a Federal Document that states they do not endorse this type of identification of children.

We were never told this checklist came from the Association of School Psychologists through research: behavioral, and clinical drug trials grants. We were never at any time informed that there is no test in existence to diagnose the condition and the diagnosis itself was not based in science. We were never informed at any time that this was a psychiatric label and that we were in essence labeling our children "mentally ill." We were never informed that there were any other treatments for this diagnosis other than drug treatment. We were never informed at any time what the risks of this recommended drug treatment were and the fact that many of the drugs recommended were not even FDA approved for children.

In fact, we were never informed that we even had a choice to "opt out" of a school psychologist and his or her testing of our child. During this whole process we were only offered mental health services and little if any educational ones. Parents must have the right to have an education or speech and language specialist test their child instead of a psychologist. All parents should have the right to educational services that are evidence based rather than subjective not only within special education but throughout the entire education system.

For the past five years, Ablechild has fought for legislation to prevent what happened to us from happening to other parents. We in many ways have been fortunate. Our children are survivors of this very risky process. Other children have not been so lucky, being injured and having died from misdiagnosis and recommended drug treatment.

Ablechild and all of its parent members continue to urge this committee to pass an informed consent bill which focuses on full disclosure to protect not only parents informed consent rights but our children's health and safety. Each year for the last five years, a bill for informed consent has been rejected, and it is our hope this year, that you as a committee seriously consider this issue since it involves both the protection of parent's rights and our children's health and safety. We are requesting that you incorporate Representative Hetherington's proposed bill #5007 last proposed in 2011, AN ACT CONCERNING PSYCHIATRIC AND PSYCHIATRIC AND PSYCHOLOGICAL TESTING OF SCHOOL CHILDREN AND PROCEDURAL SAFEGUARDS FOR PARENTS, on informed consent into the language of this bill 5353.

AN ACT CONCERNING PSYCHIATRIC AND PSYCHOLOGICAL TESTING
OF SCHOOL CHILDREN AND PROCEDURAL SAFEGUARDS FOR
PARENTS

<http://www.cga.ct.gov/2011/TOB/H/2011HB-05007-R00-HB.htm>

We cannot stress enough how important it is to incorporate the Hetherington bill language "5007" within bill "5353" for parent and children's rights.

We would be happy to expand on our request and answer any questions you may have.

Thank You for Your Consideration
The Staff of Ablechild.org

My son's checklist given to me by New Canaan School

ADHD RATING SCALE-IV: HOME VERSION

Child's name _____ Sex M F Age 7 Grade 2
 Completed by: Mother Father _____ Guardian _____ Grandparent _____

Circle the number that *best describes* your child's home behavior over the past 6 months.

	Never or rarely	Sometimes	Often	Very often
1. Fails to give close attention to details or makes careless mistakes in schoolwork.	0	1	2	3
2. Fidgets with hands or feet or squirms in seat.	0	1	2	3
3. Has difficulty sustaining attention in tasks or play activities.	0	1	2	3
4. Leaves seat in classroom or in other situations in which remaining seated is expected.	0	1	2	3
5. Does not seem to listen when spoken to directly.	0	1	2	3
6. Runs about or climbs excessively in situations in which it is inappropriate.	0	1	2	3
7. Does not follow through on instructions and fails to finish work.	0	1	2	3
8. Has difficulty playing or engaging in leisure activities quietly.	0	1	2	3
9. Has difficulty organizing tasks and activities.	0	1	2	3
10. Is "on the go" or acts as if "driven by a motor."	0	1	2	3
11. Avoids tasks (e.g., schoolwork, homework) that require sustained mental effort.	0	1	2	3
12. Talks excessively.	0	1	2	3
13. Loses things necessary for tasks or activities.	0	1	2	3
14. Blurts out answers before questions have been completed.	0	1	2	3
15. Is easily distracted.	0	1	2	3
16. Has difficulty awaiting turn.	0	1	2	3
17. Is forgetful in daily activities.	0	1	2	3
18. Interrupts or intrudes on others.	0	1	2	3

From *ADHD Rating Scale-IV: Checklists, Norms, and Clinical Interpretation* by George J. DuPaul, Thomas J. Power, Arthur D. Anastopoulos, and Robert Reid. Copyright 1998 by the authors. Permission to photocopy this scale is granted to purchasers of *ADHD Rating Scale-IV* for personal use only (see copyright page for details). ADHD criteria are adapted by permission from DSM-IV. Copyright 1994 by the American Psychiatric Association.

FEDERAL INVOLVEMENT IN THE USE OF BEHAVIOR
MODIFICATION DRUGS ON GRAMMAR SCHOOL CHILDREN
OF THE RIGHT TO PRIVACY INQUIRY

HEARING
BEFORE A
SUBCOMMITTEE OF THE
COMMITTEE ON
GOVERNMENT OPERATIONS
HOUSE OF REPRESENTATIVES
NINETY-FIRST CONGRESS
SECOND SESSION

SEPTEMBER 29, 1970

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Joseph Gallo

203-966-2840

NEW CANAAN PUBLIC SCHOOLS

GARY G. RICHARDS, Ed.D.
SUPERINTENDENT OF SCHOOLS

March 28, 2001

Ms. Sheila Gallo
104 Pocconock Trail
New Canaan CT 06840

Dear Ms Gallo:

In response to your request for a statement:

The New Canaan Board of Education does not have a policy on Attention Deficit Disorder testing.

Sincerely,

Gary G. Richards
Gary Richards
Superintendent of Schools

NEW CANAAN PUBLIC SCHOOLS

39 LOCUST AVENUE NEW CANAAN CONNECTICUT 06840
(203) 972-4400 EXT 111 (703) 972-4407 FACSIMILE



STATE OF CONNECTICUT
STATE BOARD OF EDUCATION



May 21, 2001

Ms. Sheila Matthews
104 Poconock Trail
New Canaan, CT 06840

Dear Ms. Matthews:

Your letter to Governor Rowland was forwarded to me for a response. I understand that you already expressed your concerns about the ADD checklist with Nancy Cappello and George Dowalby from the Bureau of Special Education and Pupil Services at the Department of Education. There are many checklists on the market that are used by physicians and clinicians to determine the existence of ADHD (attention deficit hyperactivity disorder). The State Department of Education does not endorse any checklist nor recommend treatment or service for ADHD.

You may obtain a copy of the Connecticut Task Force on ADHD by visiting our website at www.state.ct.us/sde. It may be found under Special Education.

Sincerely,

A handwritten signature in cursive script that reads "Theodore S. Sergi".

Theodore S. Sergi
Commissioner of Education

Model Hatch Amendment Letter, Version 2



For this reason society requires that the education of youth should be watched with the most scrupulous attention. Education is a great measurer, forms the moral character of men and morals are the basis of government. Noah Webster, 1758-1843

The original "Model Hatch Amendment Letter," crafted by Senator Orrin Hatch's (R. Utah) office, was sent to Family Friendly Libraries by a dedicated New York mom who heard it on a "Turning Point" program by Dr. David Jeremiah. Another wise mom from Michigan has since used it with some additions that we believe are helpful, particularly when you still have some definite positive connections with your child's school and want to keep those positives going. The result is an alternative letter which retains its strong parental rights message while encouraging good relationships that exist to continue. Feel free to use either model or adapt it to your own situation even further. Let us know what is happening in this parental rights arena, please.

Dear _____,

As the parents of _____, who attends _____, we thank you and your staff for your interest and effort in seeking to provide an excellent education for our child. Your commitment and skills are deeply appreciated! We are proud of the level of excellence in education that _____ provides in each classroom, and we thank you for all that you do to contribute to the education of our _____.

We would like to address the issue of our ability to review classroom material via this letter. Our desire is that we are able to review materials and address issues with our child concurrent with the curriculum and within the framework of our family, as well as having the appropriate knowledge to discern the curriculum's alignment or lack thereof with our family's beliefs.

Under U.S. legislation and court decision, parents have the primary responsibility for their children's education, and students have certain rights that the school may not deny. Parents have the right to be assured that the schools do not unknowingly or knowingly impair or weaken the student's beliefs, moral values and belief systems within his or her family unit. A student has the right to hold his or her values and moral standards without direct or indirect manipulation by the schools through curricula, textbooks, and AV material or supplementary assignments. Schools and families successfully working together as partners in education and communication of curriculum content will further strengthen the ability to provide students an excellent education in a way that strengthens individual families and our community.

Testimony Re: Proposed Bill 5353
"An Act Concerning Individualized Education Programs and Other Issues Relating to
Special Education"
Before the Education Committee
March 5, 2012
Submitted by: Michelle Bidwell, parent

Senator Stillman, Representative Fleischmann, Members of the Committee:

Good afternoon. My name is Michelle Bidwell and I am the parent of three children who all receive Special Education in Connecticut. I am unable to attend the Public Hearing regarding proposed Bill 5353 so will submit this written testimony. I have significant concerns regarding the proposed changes to Section (8) and appreciate this opportunity to share them with you.

10-76d (8)(B)

This section proposes to require the LEA to have a designated PPT team member meet with a parent, "upon request of the parent", prior to the "referral" PPT meeting "at which the evaluation of the child who requires or may require special education is presented to the parent for the first time".

My first concern is that the language in this section is incorrect and confusing. The *Referral* meeting is the first PPT meeting where the evaluation of a child who requires or may require special education is discussed and planned. The second PPT meeting, after such evaluation has been completed, is called the *Eligibility* meeting. The assessments and evaluations conducted for a child who requires or may require special education have not been performed yet, and therefore will not be discussed, at the *Referral* PPT meeting. The language in this section needs to be changed for clarity.

This section goes on to specify that the "sole purpose" of the school district meeting with a parent, prior to the PPT meeting where the assessment and evaluation of a child who requires or may require special education is discussed "for the first time", is to discuss the PPT process and any concerns the parent has. This section completely fails to identify that the assessment and evaluation reports will be discussed with the parent at this meeting—in fact, this section seems to specifically exclude that any part of the purpose for this meeting is to inform or clarify for the parent the assessment and evaluation results. It appears that parents will have no opportunity to have the assessment or evaluation results explained to them prior to the PPT meeting where these reports are "discussed for the first time". The language in this section desperately needs to be revised because, as it is currently written, what it will ensure is that parents will not be allowed to be equal participants of the PPT team, they will come into the Eligibility meeting, where these reports are discussed "for the first time" and will have been denied the opportunity to have had school district staff help them understand these findings so they could participate on an equal footing with school staff

10-76d(8)(G)

This section does specify that, if a parent requests it, the parent will be provided with a copy of the assessment and evaluation report used in the determination of eligibility for special education "at least 3 school days" before the "*Referral*" PPT meeting at which such assessments and evaluations will be "discussed for the first time".

Again, this language needs to be changed because the "*Referral*" PPT meeting is the first PPT meeting at which the assessment and evaluation of a child who requires or may require special education is planned. The second PPT meeting, at which the assessment and evaluation reports are discussed, is the *Eligibility* PPT meeting.

It's good that this section requires that the assessment and evaluation reports will be provided to the parent prior to it being discussed at an Eligibility PPT meeting but this section severely restricts when parents must be provided with these reports. School districts will only be required to provide these reports to parents who know enough to request them. And they will only be required to provide these reports prior to the Eligibility PPT meeting, not prior to any other PPT meeting held for any other purpose than to determine eligibility. Children who require special education are found eligible through evaluation for special education and then they are re-evaluated every three years to determine their continued eligibility for special education. It appears that this section specifically limits that school districts are only required to provide assessment and evaluation reports to parents once every three years, prior to evaluation or re-evaluation to determine eligibility, and only to parents who know to request them. Surely, this cannot be the intent of this section? School districts conduct assessments and evaluations for many reasons prior to many PPT meetings for children who require special education after eligibility has already been determined. It does not make any sense to deny parents access to the reports of these assessments and evaluations solely because these assessments and evaluations are not being conducted to determine eligibility.

Also, nowhere in this section does it indicate that any school district staff member will be available on request, or is required to offer, to meet with a parent prior to the PPT meeting where these assessments and evaluations "will be discussed for the first time" to review these assessments and evaluations. Previously, in Section (8)(B), it specifically states that the purpose of any meeting prior to the Eligibility PPT meeting is for the "sole purpose" of explaining the special education process and any concerns of the parent. Since Section (8)(B) states what the sole purpose of any meeting prior to the PPT meeting is for and this section is silent on there being any meeting at all, it can only be presumed that parents will have no opportunity prior to the Eligibility PPT meeting to be provided with any explanation of these assessment and evaluation reports as school staff has no obligation to ever meet to discuss these reports prior to the PPT meeting. This will put parents at a huge disadvantage and will deny parents the opportunity to come to the PPT table as equal participants in the IEP process.

Summary:

I have significant concerns about the language and intent of these two sections and would strongly urge you to consider changes. The language used is incorrect and confusing. While the intent appears to be to allow parents copies of evaluation reports prior to eligibility PPT meetings, the wording effectively denies parents the opportunity to have school staff assistance to understand these reports.

While it's nice that school district staff will be required to meet, at parents request, to discuss the special education process and parent concerns, nowhere does it require that school district staff will ever be required to meet to discuss and explain the assessment and evaluation reports to ensure that parents understand the meaning of these reports prior to the PPT meeting. It is also very concerning that this proposed revision appears to require that school districts only provide parents copies of assessments and evaluations prior to the initial eligibility PPT meeting and only once every three years thereafter, prior to each triennial re-evaluation performed to determine continued eligibility. It is also concerning that only parents who know enough to request copies of these assessments and evaluation reports will be provided with them—will school districts be required to prepare all reports to ensure they are ready three school days prior to the PPT meeting just in case parents request them? Or will they assume that most parents won't know to ask so they will not have these reports prepared three days prior to the PPT meeting (and then if the parent does request, the evaluator will have to scramble to get the reports ready)? I don't see how this could possibly work. It must be assumed that ALL parents require a copy of All assessment and evaluation reports, along with an opportunity to have these reports explained to them, prior to the PPT meeting at which these reports will be discussed, in order to be informed and equal participants in the IEP process as required by the IDEA.

I strongly urge you to reconsider these sections, both the language and the intent. It is critical that all efforts be made to include, inform, and educate parents so they can be effective and equal participants on the IEP team as is required by the IDEA. To deny parents' access to information that school staff has, and to limit parents ability to gain understanding of this information, will only serve to exclude parents and deny them meaningful participation in the IEP process.

Thank you for your time and for the opportunity to share my concerns.

Michelle Bidwell
23 Cemetery Road
Willington, CT 06279
860-684-9551



Testimony to the Education Committee
March 6, 2012

Support for House Bill #5353: *AN ACT CONCERNING INDIVIDUALIZED EDUCATION PROGRAMS AND OTHER ISSUES RELATING TO SPECIAL EDUCATION*

Support for House Bill #5357: *AN ACT CONCERNING A DEAF CHILD BILL OF RIGHTS*
By Nora Duncan, Executive Director

The Arc Connecticut is a 60-year old advocacy organization committed to protecting the rights of people with intellectual, cognitive, and developmental disabilities and to promoting opportunities for their full inclusion in the life of their communities.

We support Bill #5353, most specifically its emphasis on (1) increased parent notification and involvement and, (2) continuing education and training for both teachers and key school personnel regarding the implementation of student Individualized Education Programs. These new requirements will bring greater awareness of the unique needs of special education students and the importance, both under the law and in the classroom, of how a plan on paper becomes a real life program for individualized supports that lead to long-term success.

The Arc Connecticut would like to see additional emphasis placed on the transition from student life under the IDEA, where the investment of time and resources is intensive and mandated, to life as an adult, where so often the lack of preparation for the transition to adulthood, where there is often no support, makes a mockery of that investment. The inconsistency of how transition is approached across the state is dramatic and the Education Committee is asked to consider mechanisms by which to improve upon the current law and the reality of its implementation in schools.

We support Bill 5357 and encourage Connecticut to join the 11 other states that have already passed a Deaf Child Bill of Rights. Approximately 75% of deaf children in Connecticut are not reaching goals in CMT and CAPT assessments, as compared to approximately 45% of their hearing peers. This bill would help bridge this dramatic achievement gap by requiring that the Individualized Education Program team include the use of a language and communication plan and that the personnel administering and implementing the Program be proficient in the language and communication mode of choice.

Thank you for your efforts and please do not hesitate to call upon The Arc Connecticut for more information or further clarification of our position.

43 Woodland Street, Suite 260
Hartford, CT 06105

(860) 246-6400 x102

nduncan@arcofct.org

www.thearcct.org

Thank you for letting me submit testimony electronically. My name is Jamie Lazaroff and I am the Self Advocate Coordinator for the Arc of Quinebaug Valley. I do want to comment on HB 5353. I think there must be greater emphasis on the Special Education teacher. You can set the guidelines for the individual IEP but if there is no oversight of the Special Education teacher in the classroom to follow the plan the student can very easily fall through the cracks. In the training and education of student teachers going into Special Education and existing Special Education teachers, it is very important for all teachers to remember that all students can learn. In this session, it would be wise to look at recertification for all existing Special Education teachers in the state.

Thank you for your time and consideration.

Sincerely

Jamie Lazaroff

Self-Advocate Coordinator
The Arc of Quinebaug Valley
687 Cook Hill Road
Danielson, CT 06239
(860) 774-2827
selfadvocate@qvarc.org



STATE OF CONNECTICUT

OFFICE OF PROTECTION AND ADVOCACY FOR
PERSONS WITH DISABILITIES
60B WESTON STREET, HARTFORD, CT 06120-1551

JAMES D. McGAUGHEY
Executive Director

Phone 1/860-297-4307
Confidential Fax 1/860-297-4305

Testimony of the Office of Protection and Advocacy for Persons with Disabilities Before the Education Committee

Presented by: James D. McGaughey
Executive Director
March 5, 2012

Thank you for this opportunity to comment on two of the bills on your agenda today: Raised Bill No. 5357, An Act Concerning a Deaf Child Bill of Rights; and Raised Bill No. 5353, An Act Concerning Individualized Education Programs and Other Issues Relating to Special Education

R.B. 5357 would require that the IEP developed for each child who is identified as deaf or hard of hearing include a language and communication plan for that child, and, further, that that plan consider key questions and make explicit certain concrete details that are essential to understanding and meeting the individual needs of that child. As statutory proposals go, this is a relatively short piece of legislation. But, for a deaf or hard of hearing student, the considerations it describes can spell the difference between a tortuous and ultimately failed educational experience, and one that affords an opportunity to learn and grow - to acquire the knowledge, skills and intellectual discipline that will enable that student to participate in and successfully contribute to the world.

I believe the Committee is already aware of the dismal "achievement gap" statistics reported for deaf students - the much higher percentages of deaf and hard of hearing students who test well below minimal achievement levels on the CMTs and CAPTs than other students. Our Office has represented some of those students, usually after they have left school and are seeking or struggling to retain some kind of employment. In many cases these individuals have exited school reading at a third or fourth grade level, and are simply not prepared for the literacy requirements of the workplace. Why? Because they have been denied access to effective communication at the schoolhouse door. Part of the problem is that the number of such students is relatively small, so they attract little notice. The other part of the problem is that, many times, their language-learning needs are not well understood by educators, and sometimes not even by their parents. (Most deaf and hard of hearing children are born to hearing parents, many of whom are not aware of, or who do not have the resources to meet, the full communication and language-learning needs of their children.)

Unfortunately, neither the Federal Individuals with Disabilities Education Act, nor State special education laws currently require adequate consideration of the communications and language acquisition needs of students who are deaf and hard of hearing. The generic, individualized special education planning process simply does not have the guideposts and prompts necessary to ensure these vitally important issues will be given the weight they are due.

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Virtually all scholars who have studied human development agree that language acquisition is vitally important for all subsequent learning. There are many ways to provide children who are deaf or hearing impaired with language-rich educational environments, and the best of these recognize that “incidental learning” – the learning that children do as they informally observe others communicating and by interacting with their peers – is at least as powerful a source of teaching as formal instruction. Deaf and hard of hearing students who are given the opportunity to develop their communication skills can also master English literacy skills, and, with that mastery can reach the same heights of academic achievement and societal contribution as any other students. But, early in their educational careers, attention needs to be paid to their particular mode of communication, their language learning needs, and their individual learning styles. The approach taken in this bill – one which requires an individualized assessment by people who are competent to do that assessment, and which recognizes the importance of explicitly planning to meet the particular needs of that individual child – is certainly preferable to a “categorical”, one-size-fits-all approach. It is an approach that is fully compatible with the special education planning process, and, in fact, simply assures that the Individual Educational Plan developed for that child will be well informed and much more likely to be successful.

There is a reason this Bill is being called a “Bill of Rights” for deaf and hard of hearing children. Passing it will ensure that deaf and hard of hearing students have equal access to the right that each Connecticut student is supposed to have – the right to a public education. The Bill will go a long way toward ending the shameful achievement gap that is consigning so many deaf and hard of hearing children to a life of low expectations. I urge you to support it.

R. B. No. 5353, An Act Concerning Individualized Education Programs and Other Issues Relating to Special Education, adds some useful clarifications to the statutes that describe Individualized Education Programs (IEPs). For the most part, these are “best practices”, already followed in many districts. For instance, providing parents with copies of relevant evaluations prior to PPT meetings, affording an opportunity to meet and discuss the results of such evaluations prior to a Planning and Placement Team meeting where the question of a student’s eligibility for special education and related services will be discussed, and providing parents with copies of any guidance documents that the State Department of Education may have developed regarding the identification and education of students with the particular disability or exceptionality manifested by their child, are all good practices that should be reflected in law.

However, there are several other IEP-related problems I wish the Bill addressed. More specifically, Section 1 very slightly modifies the current requirement that school districts inform parents about state laws and regulations regarding the use of restraint and seclusion. This requirement is currently being met by providing parents with a copy of a tri-fold pamphlet that has been developed by the State Department of Education. In line with the statutory requirements added by Public Act 07-147, the pamphlet discusses the school’s obligation to notify parents whenever a student with a disability has been subjected to restraint and seclusion. However, responses to a recent survey conducted by the

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Bureau of Special Education indicated that public schools only notified parents as required by the law 85.1% of the time, and that Regional Education Service Centers – where students are more likely to experience restraint and seclusion - only notified parents 42.2% of the time.

Given that schools seem to be having such a hard time following the law regarding parental notification, I would suggest that language be added to Section 1 of the Bill to the effect that the information given to parents at the initial PPT meeting regarding the use of restraint and seclusion include specific directions about how to file a complaint with the State Department of Education if they learn that their school district has failed to inform them about an incident when their son or daughter has been restrained or secluded. I would further suggest that you require that the information given to parents inform them that the planned use of seclusion as a component of a student's behavioral plan is not considered to be "evidence-based practice", and that many experts view the planned use of involuntary seclusion as unnecessary, counter-productive, traumatizing and potentially dangerous. The pamphlet currently provided to parents explains that if they disagree with a PPT's recommendation regarding the planned use of seclusion, they can request a due process hearing. I would also suggest that parents be informed that they can contact the Connecticut Parent Advocacy Center and/or our Office to discuss any concerns they may have regarding the use of restraint or seclusion with knowledgeable advocates.

Of course, from my perspective as an advocate, it would be preferable to simply amend this bill to eliminate provisions in current statute that allow IEPs to include the planned use of seclusion as a behavioral intervention. A number of states have banned its use as a planned component of education and treatment plans, and several have even banned its use altogether – whether as a planned or as an emergency intervention.

Thank you for your attention. If you have any questions, I will try to answer them.

H.B. 5353 AN ACT CONCERNING INDIVIDUALIZED EDUCATION PROGRAMS AND OTHER ISSUES RELATING TO SPECIAL EDUCATION

I am Susan Zimmerman, parent of a twenty-five year young adult with behavioral challenges. When my daughter was five years old, I learned that her arms were being strapped to a chair to prevent her from "hallway walking." I learned this because I was concerned about the agitated state she displayed every day on arriving home. No one was required to tell me about the restraint and no one was required to do an assessment of her functional behavior. The behaviorist we hired concluded her sensory system was being overwhelmed in the classroom and "hallway walking" was her attempt to find relief.

I recognize the education regulations being discussed at today's hearing are intended to correct the abuses that my daughter and I experienced by informing parents about the Individualized Education Plan (IEP) process and about regulations regarding restraint and seclusion. But I do not believe these proposed regulations go far enough because they do not talk about the importance of positive behavioral interventions such as sensory intervention and assistive technology that have proven effective to de-escalate behavior. Lacking these supports, my daughter and others like her are held to a standard they cannot achieve. The result is emotional and physical harm.

Put simply, seclusion or restraint is not an educational intervention and should not be part of an IEP. There is no evidence-based research to suggest that restraint or seclusion is therapeutically effective while there is research to suggest it is both physically and psychologically harmful. Experts generally view its use as a treatment failure.

I urge the committee to ensure that the Individualized Education Plan includes positive behavioral supports and de-escalation techniques with a proven record of reducing problem behaviors. After all, the goal is to increase classroom learning which is not going to happen if a child is spending time out of the classroom.

Further, I strongly urge the committee to consider limiting the use of restraint and seclusion interventions to emergency physical safety situations as has been done in the following states: Oregon, Colorado, Louisiana, Tennessee, Vermont, Wyoming, Georgia, Maine, Nevada, Pennsylvania and Texas. Recent press reports and limited surveying done by the CT State Board of Education suggest the use of restraint and seclusion in Connecticut schools is high. These students would be better served by positive behavior supports.

Finally, I ask the committee to consider staff training not just on the implementation of the IEP but also on the proper use in an IEP of behavioral interventions starting with an individual functional assessment. My daughter could and would have stayed in her classroom if her teaching staff had understood how to avoid overwhelming her sensory system. Let's work to keep all of our children in the classroom.

Susan Zimmerman
74 Fullertown Road
Hanover, CT 06350
860-334-1102