

Tappahannock Hearing, June 3, 2008

Good Evening. My name is Sue Sargeant. I speak tonight as a public school speech therapist and a member of the Virginia Education Association. I support the platforms **AGAINST** these proposed sped regs made by **the Arc of Virginia**, and **VOPA-the Virginia Office for Protection and Advocacy**.

After attending several public hearings and listening to the hundreds of parents and advocates from communities throughout Virginia voice their concerns about the drastic changes to these special ed regs, I just shake my head and wonder ‘why do you put parents and advocates through this?’ You can read the VCASE position and these proposed regs and see that they mirror an ‘out of touch mindset’ with what is occurring in the day-to-day functioning of our public schools’ special education services and programs. These special ed administrators do not realize how hard we have worked in the Commonwealth for decades to build successful partnerships with parents in the special educational planning process. We, service providers, parents and advocates are not going to let some central office desk administrators create division in these partnerships.

Trying to see their viewpoint, I realize that most of their interactions with parents must be divisive and confrontational rather than mutually-supportive, equal and beneficial relationships that are evident when families and teachers team up to work together to assist a child in accessing the general and special ed curriculum. Why else would these regs propose eliminating **parent consent and involvement provisions**? Just because we go ‘above and beyond in Virginia? That’s a poor excuse. In Virginia we do the right thing for our children with disabilities. The Virginia way is to go above and beyond and Governor Kaine is right there with us too with “Virginia Leading the Way”.

Is it because of the paperwork? We’ll always have paperwork. Look at the state’s double-dipping into the Medicaid monies to pay for IDEA. Talk about paperwork! Why can’t we just say that Virginia is a trendsetter and we are modeling the way it should be across the US so that each state has its right to adopt the ‘right and Virginia way’ of involving parents as equal partners. So what if parents still have the option of going to a due process if they don’t agree with terminating their child’s access to speech or OT? Who wants that extra paperwork hassle? Do it

right the first time, the Virginia way, and keep the current parent consent provisions in place. Then we won't have to anticipate that these changes are going to bring on the paperwork burden of due process hearings.

And why attack the **DD age range**? Remember-evaluators, even from Fairfax or Loudoun counties, cannot accurately discriminate in that developmental period of 5-8 yrs old between a child with mental retardation, a learning disability or a significant auditory processing deficit.

Back in 1978, I was a full time grad student at Peabody College of Vanderbilt University. We read Jane Mercer's work plus this book, "Johnny's Such a Bright Boy, What A Shame He's Retarded". The whole concept of the dangers of early mis-labeling permeated each of our classes. We could all cite sections of Lloyd Dunn's 1964 classic article "Special Ed: Is Much of It Justifiable?" to drum into our young heads that despite good intentions of well meaning but uninformed 'specialists' that labels and mis-labels harm children's opportunities for a bright educational future. That 'sticks and stones may break my bones but names can really hurt me'. So Please **keep the DD disability category option and make it align with IDEA to age 9.**

You, as well as supportive legislators in the VA Gen Assembly, have now learned that these changes were not thought out thoroughly to get 'the other side of the story'. Look at the **EXTENSIVE** thought that the Arc and VOPA put in to explaining our concerns with these troublesome proposals and respect that work. The current regs aren't broken and don't need fixing. Ensure bright educational futures for **ALL** of Virginia's children by sending these regs right back to the drawing board for a major re-write.

Thank you for listening.