

Hello, my name is Jake LaViola and I want to first thank the committee for this opportunity to speak. I am the brother of two siblings with Special Needs and I would like to talk to you about my views on the effectiveness of special education in Texas ~~as both a~~ ^{on behalf of my} brother ^{and a public school student in Texas.}

who cannot speak for himself

I will be starting my senior year in high school and I have spent the past seven years hearing discussion regarding such subjects as related services, continuum of alternative placements and educational need. I can probably speak upon these issues better than most adults in the special needs area because I have lived them, experienced them and have felt their impact on a deeply personal level. I believe I know more about these issues than any 17 year old should possibly have to. I also believe this is so because of the failure of Texas public schools to provide free and appropriate public education to children with special needs.

Related Services:

Let me first begin, by talking about related services. These are the services such as occupational therapy, physical therapy, assistive technology, and social skills training. Last year, my mother and brother returned to Texas after having to leave my father and me for a year in order to secure appropriate educational services for my brother with Autism, stroke ~~and~~ ^{joint of the diagnosis} a mitochondrial disorder. They had to leave because the school district where we live would not provide my brother with related services that would have any meaningful impact

on his progress. Even a 17 teen year old could see that my brother's IEP, individualized educational program, from NY is **irreconcilable** with his IEP from Texas. NY did not re-evaluate my brother but, instead, relied entirely on the evaluations from our Texas school district to determine related services. Yet, my brother who did not qualify for occupational therapy services in the state of Texas, not only qualified in NY but was mandated to receive occupational therapy five days a week , 1 on 1 for 60 minutes a session. My brother qualified for speech therapy in both NY and Texas, yet Texas gave my brother, who at the time only spoke in short echolalic phrases, speech twice a week while NY gave my brother speech therapy 6 times a week: 5 times 1:1 for 60 minutes and 1 time a week in a small group for another 60 minutes. Lastly my brother, a child who suffered from a stroke, only qualified for physical therapy for 15 minutes every other week, (that is so pathetic) yet in NY he was mandated to receive physical therapy three times a week, 1:1 for 45 minutes a session.

I could go on and on about the differences. However, the real difference was exemplified by ~~the~~ how much my brother was able to achieve just by the consistent and frequent delivery of these necessary services. With ^{this} ~~such~~ frequency and intensity, ^{provided by the state of NY} my mother and brother were able to return and for the first time, my brother qualified for a placement at an appropriate private school. When I asked my parents how such a vast difference could exist between TX and NY when both had to follow federal law, my parents informed me that NY had explicit provisions for the delivery of these services. I

While TX
does not

know that my mother has provided this committee with NY's law in this area in the past. It is my request that this committee should do what NY has done and legislate objective criteria so that these children can receive the services they need to succeed.

Continuum of Alternative Placements:

I know that under federal law, school district's are required to have a continuum of alternative placements – which essentially means that they need to create a variety of settings that meet individual needs. I know that when my brother was in public school in TX, as a preschooler who behaved more like an infant, he was going to be placed in an English as a second language class of 22 students. In NY, however, he was placed, again relying on Texas evaluations, in a class setting called a 6:1:3 – six students with one teacher, and three well trained paraprofessionals.

Throughout my elementary, middle school and high school years in Texas Public schools I have never seen co-taught classes, blended classes, or any creativity attempted to meet the needs of these children. Instead, they are thrown into mainstream classes without support or they are completely segregated from the other children, even to the point that they are passing through the hallways at different times during the day. I can honestly say that I rarely see the special needs children integrated with the rest of our student body.

Impact on My Family as a result of the Failure of Texas Public Schools

I just received my report card, and I am proud to say that I am still ranked in the top ten of my class. I am aware that the State of Texas has also received their report card from the Federal government in the area of special education and it seems to me that Texas has failed. For the third year in a row, Texas has received either a "Needs Assistance" or "Needs Improvement" rating from the Office of Special Education Programs. I know if I came back with a report card like this, it would be unacceptable to my parents. These reports should be unacceptable to you.

My family has lost everything because Texas Public Schools have failed to do what is appropriate, moral and ethical for children with special needs. The United Cerebral Palsy Foundation ranks Texas as 50th among the 51 states (because it includes the district of Columbia) in the delivery of services to special education children. My family and I have lived this failure and it has changed who we are as people. My mother used to be involved in all aspects of the community, PTA president, community volunteer and organizer, directing school plays etc... There is no time for that anymore, just a focus on getting my brother the services he needs because no one will do what is right. Instead, I have lost valuable family time that should never have had to occur because of the failure of Texas Public Schools. I now live with the fear that I do not know what our

future holds because I feel like this failure of the government and school districts to act has robbed my brother and all the other special needs children in Texas, of their childhood, their potential and their future.

Family has worked with school
Susan Thomas

My high school's motto is "simply the best" but how can we really claim that when we only offer some children the chance to be "simply the best" while deliberately excluding special needs children from the same opportunity.

Thank you.

Parent

Pamela