

January 22, 2020

My name is Tracy Sherman and I am a single mother of a child with special needs in Prince George's County. I am writing to share our experiences and show my support for HB184 that proposes parents be reimbursed for expert witness fees for due process hearings.

Let me begin by saying that NO parent begins this journey to see what's in it for them or how they can "scam the system". Due process is not a decision that families take lightly and try many things before it progresses to that point. Most naïvely begin the process of getting help for their children by assuming the public schools will help to guarantee a Free Appropriate Public Education (FAPE) that each student is legally entitled to. It is not FREE when parents must spend \$2,000 out of pocket for a neuropsychological evaluation because the school refuses to complete educational testing or does not complete the correct ones. It is not FREE when parents have to pull their kids out of public school to home school or attend private school because the public school refuses to accept the above mentioned \$2,000 evaluation and does not put the proper interventions and accommodations in place. It is not FREE when families have to pay lawyers to attend IEP meetings because they can't trust what the school says. Over the course of our journey in the last 5 years, I've met families who have had to sell their homes, move to different states, split their families up, or take a number of drastic measures to get their children the help they need that should legally be provided by the school district. It should not have to be this hard and the appropriate education shouldn't only be for the wealthy.

My 11-year-old daughter Jaelynn is currently a 6th grader in Prince George's County Public Schools. When I requested educational evaluations, the school refused until I hired a lawyer, then purposely did the wrong ones and denied her an Individualized Education Plan (IEP). She had previously been diagnosed with chronic kidney disease and the school also denied a 504 plan. I did not believe the school when they said there was no disability and no problem, so I paid for an evaluation at Children's National Medical Center. There, she was given several diagnoses including dyslexia, dysgraphia, dyscalculia, nonverbal learning disability, ADHD and others. Once we got the diagnoses, I foolishly assumed that would be the end of the story and the school take it from there. The school reluctantly gave her an IEP but did not follow the proper steps. MSDE agreed with us on two state complaints that PGCPs failed to properly evaluate her and apply eligibility criteria as well as provide proof that she was receiving the proper accommodations on the IEP. To this day, she is not receiving the proper accommodations as needed. Here is an example of why parents need to take cases all the way to due process. The school completely disregarded her follow up reassessment this past May by taking away her reading intervention despite the CNMC report saying:

Based on the results of the current evaluation, Jaelynn requires individualized therapy and specialized teaching. Her educational team should include:

- A **special educator** for specialized academic instruction (e.g., teaching strategies for children with multiple learning needs) and **evidence-based intervention (core reading, reading comprehension, writing, and math)**, and **specific teaching of executive functioning skills**.
- **Reading Intervention:** Jaelynn requires an explicit, comprehensive (multi-modality), differentiated, named reading intervention with empirical validity and fidelity of implementation delivered in small group setting.
 - Effective interventions require a minimum of 70 hours prior to determining one's potential to respond to intervention, and for maximal benefit this 70 hours of intervention should occur in a short period of time (e.g. 1-2 hours/day, 5 days/week over 7-14 weeks).
 - This intervention should target both phonological awareness/decoding as well as more applied reading skills. The intervention should be delivered in a systematic and explicit manner, with consistent correction and reinforcement, 5 days per week in order to be effective. Programs meeting these requirements include: *Orton-Gillingham, Lindamood Bell, and the Wilson program*. Whole word language/"balance" or discovery/constructive programs are specifically not recommended.

Another example of us not being able to trust the school happened at her most recent IEP meeting on January 10, 2020. The district reading specialist admitted in the report to having Jaelynn redo a portion of a reading assessment, therefore giving her a higher score and saying there are no problems (denying reading interventions again).

With this level, Jaelynn read pretty fast which caused her to skip an entire line of words. In any other normal situation, when a child omits a word, he or she would receive a miscue for each word that was omitted. Upon the completion of the passage, I praised Jaelynn for reading well, but also pointed out that she had skipped a line, in the process, because she had read at a fast rate. Jaelynn admitted that she had not realized that she missed a line. At the request of Ms. Roberts, the Special Education Resource Teacher, I allowed Jaelynn to go back and read the line that was skipped to prove that she knew the words. With the allowance of this, Jaelynn only had 2 miscues (without this allowance, she would have received 14 miscues).

I would file for due process today, however our lawyer advised us against it solely because of the financial aspect. We have tried other routes, like mediation, that did not work. For standing up for my child's rights, we have faced retaliation by an unlicensed special ed teacher lying to police to file a restraining order on me (that was dismissed in court). The school also suddenly switched Jaelynn's IEP from specific learning disability to emotional disability without completing a behavioral evaluation. To this day one has not been completed.

Getting a child needed services shouldn't cause financial ruin to a family, especially when FAPE is guaranteed by law. As you can see, public school districts give parents many reasons to doubt that things are being handled properly. If schools would follow the laws to begin with, extra money would not be needed for court.

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