

Testimony for New York City Council Education Committee Hearing

Special Education Reform

October 25, 2013

Good afternoon. My name is Jacqueline, and I am the mother of Jadalyn, a five-year-old girl who is on the autism spectrum.

Jadalyn and I were looking forward to her first day of kindergarten this fall. I knew there would be challenges, but I never expected that getting my daughter an appropriate kindergarten class would be so difficult.

Last spring, the DOE, Jadalyn's preschool teacher, and I developed Jadalyn's kindergarten IEP. Everyone agreed that Jadalyn needed a 12:1 class—a class with 12 students and 1 teacher, and the DOE recommended a 12:1 class on her kindergarten IEP. Over the summer, I received a letter from the DOE stating that Jadalyn would be placed in a 12:1 class at a brand new school just around the block from our home. I was thrilled.

But when I went to orientation, I was informed that this school would not have a 12:1 class in September. The school only planned to have a large kindergarten class with more than 20 students. I couldn't understand why the DOE would place my daughter in a school without the appropriate class. And I couldn't understand why the DOE would send me a letter stating that Jadalyn would be in a 12:1 class at her zoned school when that school did not actually have a 12:1 class.

Soon after, I went to a DOE office to inform them of my situation. I was told that Jadalyn had to go to her zoned school and I should see how things went in the big class. I felt as though no one was listening to me and that no one cared. My concerns fell on deaf ears. Since I was told I had no choice but to send my child to her zoned school, I enrolled her. As soon as Jadalyn began kindergarten, the school agreed with me that Jadalyn was not ready to be in a big class. When I asked the school for help, the school staff was very nice but said their hands were tied. They did not have a small class for Jadalyn and could not get approval for a new school for Jadalyn because of the DOE's special education reform.

In late September, when I realized that I could not get Jadalyn help on my own, I turned to an attorney and a law student at Advocates for Children. After Advocates for Children contacted the DOE, we were told that the school might be able to create a small class for Jadalyn. I wondered why this could not have been worked out over the summer before the first day of school. Yet, I held out hope that this would be done and everything would be set right.

However, after a lot of back and forth, the school told me that, since Jadalyn was the only student who needed a small class, it would be impossible to create the smaller class.

I wish I could have kept Jadalyn in the school she had grown familiar with. The staff was caring but there was nothing they could do. Without a smaller class, I knew Jadalyn could not learn and make progress. I had no choice but to keep asking the DOE for a new school placement.

Finally, in late October, the DOE gave Jadalyn a seat in a 12:1 class in a school just four blocks away from her original school. She started there this week. I want to thank the DOE for finally agreeing to give Jadalyn a placement with the small class she needs. While I am happy that my daughter is now in a small class, I am frustrated that so much time was wasted to get to this point.

Getting Jadalyn her small class was not just a process, it was a daily struggle. I felt as though every time I turned a corner, a door was closed in my face. I lost income because I had to take time away from my work to advocate for my daughter. My family could feel my frustration and anger.

But the biggest loser was my daughter. For two months, I watched my daughter struggle. For two months, I was told day after day that my daughter was disruptive and defiant in class. For two months, my daughter was denied the class she so clearly needed and had the right to get under the law.

I support the goals of the DOE's special education reform. Whenever possible, children with disabilities should go to schools close to their homes. Whenever possible, children with disabilities should go to schools with students who don't have disabilities. And, certainly, the DOE should focus on having better outcomes for students with disabilities.

But today my message is simple. The DOE should not leave children like Jadalyn stranded in inappropriate programs in the name of a DOE reform. The DOE should not ignore parents like me in the name of a DOE reform. And the DOE should not violate children's rights in the name of a DOE reform. To make the special education reform a success, the DOE must address these problems and make sure that no child or parent has to go through what Jadalyn and I experienced this fall.

Thank you for the opportunity to share my story.