

March 12, 2024

The Honorable Joseph M. McNamara
Chair, House Committee on Education
State House
Providence, RI 02903

Re: Testimony in SUPPORT of H-7721

Chair McNamara:

My name is Nicole Lavoie and I am testifying in support of H-7721, a bill that would strengthen parental rights in the IEP process. The way things are currently, an IEP can be changed without parent consent. In addition to this, when changes are made, whether to a student's placement or based on evaluations, the parent doesn't get to review evaluations prior to the meeting or visit the new educational setting.

This bill would:

- Require schools to share evaluation reports and other important documents with parents in advance of IEP meetings;
- Give parents the right to observe placements proposed for their children; and
- Restores the requirement to obtain written parental consent before implementing changes to a student's IEP.

We are supporting this bill because our son has been directly impacted by our district's ability to remove accommodations/goals from his IEP and implement it without fully considering our feedback/concerns or obtaining our consent has traumatized our son and been significantly detrimental to his mental health and well-being.

- Our son has had significant mental health challenges as a result of a lack of support and/or understanding of his needs in our district and without proper parental involvement in the updating/approval of his IEP, his IEP is not developed/implemented to meet his specific needs which do not allow him access to a free and appropriate public education.
- Our son was admitted to Bradley Hospital earlier this year due to our district refusing to update his IEP to address specific areas we as parents shared our concerns around. The district also did not provide the accommodations for our son that were requested in writing by his psychiatrist. The district removed accommodations and supports from his IEP and implemented it despite our disapproval of it.
- Upon discharge from Bradley Hospital, our district did not properly consider our feedback when updating his IEP, and the advice/recommendations from the Bradley Hospital Social Worker, our son's psychiatrist, our son's mental health counselor, and our special education advocate were also not properly considered. The updated IEP was implemented again despite our clear disapproval of it.
- The 10-day notice is not the same as consent and refusal to sign the notice does not prevent an IEP we do not agree with from being implemented.

- After 2 days back at school after discharge from the Bradley Hospital day program, while still attending the Bradley afternoon program, our son was placed on a safety plan at home and refused to return to school.
- For our son's safety, we had no choice but to withdraw him from North Smithfield High School and are currently homeschooling him. Our district's ability to implement an IEP without our consent, which is not written to meet his specific needs, is restricting our son's access to a free and appropriate education.

I urge you to vote in favor of bill H-7721.

Thank you for your time and the opportunity to speak in favor of H-7721.

Sincerely,
Nicole and Thomas Lavoie
5 Dorene Drive
North Smithfield, RI 02896