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Prepared Testimony of Lee Awbrey, Staff Attorney  
Presented to the School Reform Commission

Before you is a resolution for a 36 to 54 million-dollar experiment in segregation for Philadelphia's children with emotional disturbances and other disabilities. I am here to warn you against this mistake.

My name is Lee Awbrey and I am with the Public Interest Law Center, which has a long history of advancing and protecting persons with disabilities. Thank you for the opportunity to speak.

For an expenditure of this size it is striking how little information is available. The resolution raises a lot of questions: Who are the 200 children who will be placed in this program by September? Where is it located? The building may "optimally" also house educational programs for the general education students but there is no requirement that it do so and no indication that contractors bid with such "optimal" placements in mind. How will children be transitioned to this setting in a manner that respects their right to stay put in their current placement? What kind of notices are parents receiving to inform their choice? Who—if anyone—was consulted on this resolution that was only published Monday of this week?

And who is this for-profit business that is about to get the millions of dollars? Catapult Learning. News stories report that at Catapult's New Hope Academy in Baltimore two police officers violently beat up a student. As they beat him, they yelled profanities, repeatedly telling the child to leave and go home. The mothers of Catapult's High Road School in Connecticut went to their school board to stop the school's use of abusive restraints. One mom filed a police report. Their children were returning home from school with bruises and scratches from

restraints. An 8 year old was restrained by four adults at once. Parents reported severe isolationist “time outs” that put children in isolation for up to six hours a day. That is not “dynamic best-practice.” Has the district investigated these matters and what safeguards will you put in place to assure parents that they will not occur here?

There are things that we *do* know about the resolution. Both the law and experience tell us that best practices are inclusive practices. Kids do better in supported inclusive environments. We know that segregated schools by definition cannot be “model” special education schools for because the ADA, the IDEA, and evidence-based research tell us otherwise. We know that children leave the district for private alternative schools when they are underserved in the district and experience bullying, crowded classrooms, and inadequately trained educators. Those children deserve the option of returning to the district in integrated classrooms with proper supports. This money could be more sustainably invested to create *those* “model” inclusive settings. We also know that rushed implementation sets-up the district to commit violations of the law that will lead to costly litigation.

This contract is an investment in low-expectations that is destined to fail. It is destined for fail because it lacks heart, it lacks vision, it lacks transparency, it lacks input from stakeholders, and it is a regression into the very type of out-of-sight, out-of-mind segregated setting that history has proven to be a disgrace. Do not let it happen here. Do not make this your legacy. Vote no on IU-7.