

November 28, 2007

The Honorable Chris Van Hollen
U.S. House of Representatives
1707 Longworth H.O.B.
Washington, DC 20515

The Honorable Pete Sessions
U.S. House of Representatives
1514 Longworth House Bldg.
Washington, DC 20515

Re: IDEA Fairness Restoration Act

Dear Congressman Van Hollen and Congressman Sessions,

The Council of Parent Attorneys and Advocates (COPAA) is a nonprofit organization of over 1100 advocates, attorneys, and parents of children with disabilities who work to ensure that children with disabilities receive an appropriate education. We would like to thank you for introducing the IDEA Fairness Restoration Act, H.R. 4188. The bill would allow parents who prevail in IDEA hearings and litigation to recoup their expert witness fees. We appreciate your support on this important issue for parents of children with disabilities.

Your bill will restore Congress' original intent in enacting the Handicapped Children's Protection Act of 1986--to include expert witness expenses within the definition of attorneys' fees under IDEA. It will make a difference to the millions of parents of students with disabilities in this country. Approximately 36% of children with disabilities live in families below the poverty line; approximately 2/3 live in families earning less than \$50,000 a year. Few can afford the tens of thousands of dollars needed for expert witness expenses.

Approximately 7 million children with disabilities are currently covered by the IDEA. Nonetheless, parents proceed to litigation only as a last resort. In 2003, the GAO reported that there were only 5 hearings per 10,000 special education students. Your bill will ensure that parents should not be deprived of their right to due process for lack of resources.

Thank you very much for your leadership and dedication to the needs of children with disabilities.

Sincerely yours,

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