

March 11, 2015

Thank you for the opportunity to share a parent's perspective on the use of seclusion and restraint. The work on this issue began in 2005. Since 2011 I have offered testimony to committees in the House of Representatives and Senate and before the Kansas State Board of Education and its advisory committees on at least 11 occasions.

Sub. HB 2170 is 10 years in the making. I urge you to support this bill.

In brief, my story is this. My seven year old son was being restrained multiple times a day in the fall of 2007. None of the school personnel had received any training in the use of this intervention and we never received documentation for any of these incidents. Then, in early 2008, he was secluded eleven times, without our knowledge or consent. Upon discovery, we insisted it stop and requested documentation. It took eleven weeks to receive the documentation, most likely because the school was not keeping documentation.

In February of last year a U.S. Senate Committee Report entitled "*Dangerous Use of Seclusion and Restraints in Schools Remains Widespread and Difficult to Remedy: A Review of Ten Cases*" was released. (<http://www.help.senate.gov/imo/media/doc/Seclusion%20and%20Restraints%20Final%20Report.pdf>). It found that families face significant obstacles in finding appropriate remedies for these practices.

Other families will also testify today who have experiences aligned with these findings. Their experiences occurred under the current regulations.

1. Families were not informed of the use of seclusion and restraints.
2. Families had difficulty in obtaining information or documentation about the use of seclusion and restraints.
3. The "Halo Effect" or deference afforded to school personnel by families and the public, and the tendency for schools to adopt a "code of silence" at the first sign of trouble with a parent, limits families' ability to effect change on the system.

The current regulations do not adequately address these barriers faced by families, in particular because schools are in a more powerful position than families. It is long past time to adopt a uniform standard across the state for seclusion and restraint and families should be able to access an independent complaint process.

Sub HB 2170 provides for this option.

Therefore, I ask you to support HB 2170 as it remedies the problems with the current regulations. I urge you to finish the work that was begun 10 years ago.