

House Committee on Children and Families
Thursday, February 2, 2012

Written Testimony

By Mrs. Angela Lopez, Leavenworth, Kansas

My name is Angela Lopez. My husband and I Julio Lopez are the parents a 13 year old child who is diagnosed with mental retardation. He attends New Beginnings behavioral school in Lansing, KS. During the three years he has attended this school Austin has experienced seclusion and restraint countless times. It is his experience which compels me to testify today in support of HB 2444. I will focus my testimony on the occurrences that have taken place during this Fall 2011-Spring 2012 school year.

New Beginnings Behavioral School has adopted a no touch policy just for my son. According to his behavioral plan if Austin touches any staff, student or anybody without permission, whether it is a hug, high five, fist bump, punch or kick, during the day he will be directed to go straight to the a safe room in the office. This room and the safe room in the classroom is small, has a door that is closed, no windows and empty outside of the desk and chair for the student. There are no warnings. If he touches someone this consequence is immediate.

When he goes to the safe room in the office or the safe room within his classroom he is alone in that room for sometimes the entire school day and. If the school sees fit the seclusion has carried over to the following day. The principal has stated once he is in the room he has to remain there.

The school has not recorded the incidence of seclusion however it is documented within his daily point sheets which I am required to sign and return to the school. According to the times that I have signed his point sheets he has been in seclusion on average 4 times per week for up to two hours. When the no touch policy was brought up to me I told them I did not feel this would be a good idea because he would be spending a lot of time in there and I did not think that would help my son. I also expressed my concerns about him being in there with no supervision since he has had an increase of seizure activity in the last month. I explained my concern that he could have a seizure and no one would know.

Another concern I have with the use the seclusion room is that my son is told by the teacher to go to the seclusion room when he gets mad or frustrated. When he attempts to go to the office seclusion room as his teacher required him to do last year he is not permitted to go. Instead staff corners him and uses force to physically put him in the seclusion room.

My son is placed in each seclusion room by himself, for extended periods of time, he is not allowed to leave, staff does not observe him as there is no window in the rooms to do so. The door is shut which prevents him from leaving. My son has been placed in seclusion for discipline, punishment and for the convenience of staff. I come forward today to urge the House Committee on Children and Families to adopt House bill HB 2444.

HOUSE CHILDREN AND
FAMILIES
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