

KANSAS  
ASSOCIATION



OF  
SCHOOL  
BOARDS

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At the request of Sen. Teichman, KASB contacted superintendents/special ed directors/communication staff of five large districts and the directors of three Services Centers that provide special ed services to dozens of districts. Although it was not a formal survey, two things were very clear. There are/will be additional training costs. One of the large districts reported startup costs to comply with the legal requirement, if passed, requiring training for those involved in restraint of around \$170,000 for next year and annual costs of pushing \$50,000 if the guidelines become regulations. The second reported startup training cost doubled this year, and it has fewer than half the students.

But those are really the tip of the iceberg. More and more districts, as they implement a no-touch policy in certain instances, generally the ones not excluded in **HB 2444**, will call the police to address an out-of-control student. It is clear a student for whom that happens with any regularity could find themselves needing a more restrictive environment. Placement in an alternative day setting can cost up to \$30,000 a year. Residential placements can cost ten times that, and the fact is not every student can be matched with a program that will accept them.

There are other costs that could be attributed to regulations, rather than guidelines, addressing the situation. Additional due process hearings for a reporting district are projected to cost \$150,000.

It appears from not only the written responses but information given at the State Board meeting yesterday, fear of mishandling an already difficult behavior situation will force more and more districts into the "no-touch" policy some districts have already taken on. That has two negative effects. As one of the conferees noted, judicious use of seclusion by a caring staff allowed her child to avoid a more restrictive placement. The other is the fact law enforcement will be called in to handle the situation, in which case, it won't be a caring adult who's likely to know the student, but an officer carrying a weapon, perhaps even wearing body armor. This introduction of the law enforcement approach has consequences beyond those addressed by school personnel: charges are likely to be filed, and the student will enter the judicial system with all its complexities, demands and costs.

For those reasons, KASB continues to urge the guidelines be left in place. They are the most balanced approach to dealing with difficult situations that affect a number of people: the student, parents, staff, administrators and law enforcement.

Senate Education Committee

Date: 3-14-12

Attachment # 1