

H. Jane Rhys
1133 SW Wayne Avenue
Topeka, Kansas 66604

Substitute House Bill 2170

My name is Jane Rhys, and I strongly support passage of Substitute House Bill 2170. I have worked in the disability field since 1975, in the areas of mental health, developmental disabilities, and special education. My experience includes certified special education teacher grades 1-12 in both public and special purpose schools, program specialist in special education for the State Department of Education, adjunct professor of special education for Washburn University, administrator in developmental disabilities for the Department of Social and Rehabilitation Services, state appointed Education Advocate for students with disabilities whose parental rights have been terminated, and Court Appointed Special Advocate (CASA) so I have many years of experience with children with disabilities dating to 1975. My training includes a Master's in Special Education and a Doctorate in Education Administration.

In 2012 I asked for your support for Sub. House Bill 2444, which would have created common-sense protections, based on the national consensus standards, for students, parents and teachers regarding the dangerous and deadly tactics of seclusion and restraint in public schools. Those protections would ensure that seclusion and restraint will be used safely and only when absolutely necessary, that staff will be properly trained, and that parents will be told when these tactics are used on their children. The House voted by a 2 to 1 margin to pass this bill. But since it did not pass the Senate, we are again coming to you and asking for your support of Sub. HB 2170, a nearly identical bill. This bill would:

- **Create an effective uniform effective policy** that will finally adequately address the problem of unnecessary use of seclusion and restraint against children with disabilities in Kansas public schools;
- **Provide excellent protection** against dangerous and sometimes deadly uses of seclusion and restraint tactics;
- **Fix egregious flaws** in current regulations including:
 - **Lack of an effective, uniform standard** – They only require schools to “have a policy” with certain “important words,” yet whether that local policy is actually followed is left up to the schools.

- **Not treating Parents as Equals** – Sub. HB 2170 ensures that the parents and student are treated equally in the complaint process;
- **Lack of seamless Integration** – Passing this law will fix the serious flaws of the current regulations and ensure that they are both effective and constitutional; and
- **Solve the Constitutional problem** - current regulations have been alleged by schools to be unconstitutional. Sub. HB 2170 fixes that by having the protections and standard appropriately in law, not simply in regulation.

Therefore I urge you to pass Sub. HB2170 to provide guidance for both schools and parents regarding the use of seclusion and restraint procedures that are fair and equitable in all school districts in Kansas.

Thank you and I would be happy to respond to any questions you may have.

Jane Rhys, Ph. D., Advocate
785-249-1943
jrhys67@yahoo.com