

Legislative Resolution 314

Thank you Senator Kolowski for introducing LR 314 and members of the Education Committee for conducting this study. My name is Melinda Pearson parent of a child with special needs who has been restrained too many times to count and secluded even more. I would like to share some of my son's story in hopes that this committee will find it necessary to recommend either laws or guidelines to 1) only use restraint or seclusion when there is a crisis situation—not for compliancy; 2) all school staff is trained properly; and 3) the notification of parents or legal guardians is mandatory and happens EVERY time these practices occur.

The first time I found my son in a seclusion room he was in 2nd grade—he was in a little room, a previous custodial closet turned into a recovery room without a window or a way to see in to monitor him, leaving him with a math worksheet and a pencil to work alone. He was expected to complete the assignment before he could come out. It was not clear exactly how long he had been in the room, needless to say I was not ok with this. Up to this point I had been in communication daily about the challenges & struggles he was experiencing at no point was I told he was being placed in what was then called the recovery room.

For his remaining elementary years we helped shape the procedures at this school and perhaps even the district. Through my daily conversations with staff the practices used over time did change, some improving, some helping him as I'll note later, and some that need to be thrown out! During this time he endured numerous times daily where they used restraints to de-escalate him when angry. Often he would have bruises on his arms where he was held in an attempt to get him to the ALE room or Alternative Learning Environment, previously known as the recovery room. After the school was remodeled there were 2 ALE rooms now with windows one in each Resource Room. In attempts to "help" my son they decided to designate 1 of the rooms to be used only for him.

4th grade was a particularly challenging year which led to what I would call permanent seclusion for my son. During the last quarter he was removed from the classroom and placed in an emptied out small classroom with his one on one para. This room did have windows—but when staff realized he was standing at those windows screaming for someone to let him out they

Immediately put tint on them so he could see out but passers by could not see in. The biggest mistake I made was allowing his 5th grade year to start off the way they insisted it would. Because he had ended the 4th grade out of the classroom they felt it necessary for him to earn his way in to the classroom for 5th grade even tho it was a new year. Thus he was given a new "office" room tucked down the 1st grade hallway where he & his para would work secluded from his class/peers. He was absolutely crushed. I spent 2 days at school that first week—the 1st day trying to help calm him down & convince him it would be ok *even though I wasn't ok with it* and the 2nd to see what exactly staff was doing. On the 2nd day it was made quite clear I should not just arrive unannounced and plan to stay for the day...they didn't think it would benefit my son. He never did make it back in to his classroom, he had very little actual teacher instruction through out the year almost all of his instruction coming thru his para, he was even expected to eat lunch in this room tho they did invite in a couple classmates to join him after my insistence and he wasn't allowed to go to recess his entire 5th grade year.

Middle school has been an entirely different experience. My son still has one on one support and we have yet to get him back into the classrooms on a regular basis in my opinion because of the behaviors learned as a result of all the seclusion. However, he has only had to use the ALE room a few times as his middle school only uses it when a student is in crisis and unsafe. Shortly after his 1st few days at middle school he got in our car and said, "Mom! I'm not the only bad kid!" He also has told me he figured out there really were some nice teachers out there.

My plea would be for the district and the state to continue to work for solutions. To set our children up to thrive not just survive. That should it be deemed necessary—seclusion & restraint ONLY be used in crisis situations. When advocating for my son over the years I have always said if he needs to get it together then so be it—as soon as he can talk he comes out; if he escalates again he may have to go back in but that typically isn't the case. We must treat children like human beings, not animals who need to be caged up. Children should never be made or expected to complete school work or a task before they can come out of a seclusion room.

All staff must be trained in behavior support and conflict de-escalation. I can't tell you how many times through my conversations with staff often on a daily basis the trouble or trigger was the result of a power struggle—when the adult

allowed emotions to enter in. My sons elementary school truly did try to go the extra mile even holding weekly meetings to keep everyone on the same page to assist him. Yet over & over again, I could point to the trigger; many times the entire situation could have been diverted had adult emotions been kept in check. Perhaps training will prevent other children from experiencing what mine has.

Countless other children are placed in these situations without a parent or advocate to spend numerous hours, put their career on hold, and be available every moment of the day 365. Because I have been able to do this and will continue too my son is on a path to thrive. When we use these tactics in attempt to gain compliancy, respect, or not have to deal with these behaviors it teaches these children to act out to get out of what they didn't want to do in the 1st place. In fact, in educating myself to advocate for him I have attended multiple meetings, educational workshops, and trainings at every one I have witnessed educators, texting, playing video games, eating, walking around, etc not being able to sit through the entire presentation—I wonder how many of them could be successful in a seclusion room!

In closing I will share some of the good that came out of those years. My son did learn some valuable de-escalation skills and improved his negotiation skills! We work daily on respect, consideration of another's point of view, and understanding you treat others the way you wish to be treated. He and I spent many nights working through the events of his day...so many times him stating, "Mom I just want to be normal." Now, when he is feeling out of control he will leave the room & take 3-5 minutes to get it together. At home he goes to his room; at school he has 2-3 safe places he & his teachers have agreed on. He can express when he is feeling angry, frustrated, sad, and sometimes overwhelmed. We continue to see progress and I fully expect by his high school years he will be able to independently attend classes and engage in what's going on around him without support despite what happened in his elementary years.

If these practices are not restricted or done away with completely and training changed for our educators many others will not even survive potentially ending in tragedy as we know many do not have people advocating for them.

Thank you again for listening to our story.