

KASEA

*The Kansas Association of
Special Education
Administrators*
kasea.org

House Committee on Corrections and Juvenile Justice

Terry Collins, Ed.S. Director of Doniphan County Education Cooperative #616
On behalf of

The Kansas Association of Special Education Administrators (KASEA)

Honorable Rep. J. Russell Jennings and Committee Members,

My name is Terry Collins and I am the Legislative Chair for the Kansas Association of Special Education Administrators. Thank you for the opportunity to represent them today as opposed to HB 2243.

It has been my experience that the issue of seclusion and restraint, including mechanical restraint in the school system, has been discussed and debated for over 30 years. In 2015, Legislative statutes established the Emergency Safety Intervention Task Force (Task Force) to further study this topic and make recommendations to the 2016 legislature. I, along with several others represented, KASEA on that Task Force.

Mechanical restraint was one of many issues studied by the Task Force and after much discussion and debate; we declined to allow the use of mechanical restraint to school security officers.

One of our most formidable tasks was to define physical harm. The standard we agreed upon for physical restraint or seclusion of a student is “a reasonable and immediate danger of physical harm to such student or others with the present ability to effect such physical harm.” The statement to allow school security officers to use mechanical restraint “when significant physical harm to the student or others would occur if mechanical restraint on the student is not used” can only be determined by hindsight and confuses the issue.

KASEA concurs with KSDE, the State Board of Education, and the Special Education Advisory Council regarding the issue of the use of mechanical restraint by school security officers.

- The State Board declined to extend this authority to school security officers;
- The Emergency Safety Intervention Task Force, established by this legislature, also declined to include this provision.
- The standard proposed for school security officers’ use of mechanical restraint would create confusion with district staff and families and removes existing protections currently provided to students and parents

With respect, The Kansas Association of Special Education Administrators urges you not to move forward with this bill.

Thank you for your time.

