



February 5, 2017

TO: Members of the House Committee Correction and Juvenile Justice

FR: Tim Wood, Executive Director

InterHab: The Resource Network for Kansans with Disabilities

Re: Testimony in Opposition of HB 2243

Chairman Jennings and members of the committee –

Thank you for the opportunity to submit written testimony in opposition of HB 2243. I am Executive Director for InterHab, which represents community-based service providers and community developmental disability organizations (CDDOs) across the State, and has been collaboratively engaged with the State for more than 40 years.

InterHab members provide services for Kansans of all ages who are challenged by intellectual and developmental disabilities. Our members advocate for the rights of infants, toddlers, children, and adults in their communities. As advocates for the rights of persons with disabilities, we urge the committee to withdraw HB 2243 for the following reasons:

1. The recent policy unanimously endorsed by the Emergency Safety Intervention (ESI) Task Force on the use of seclusion and restraint in public schools came after many years of horrendous stories of children with special needs being subjected to dangerous and unacceptable occurrences of seclusion and restraint, and a great deal of consideration and compromise of stakeholders. The issue of allowing school security officers to use mechanical restraint devices was not adopted by the ESI Task Force for good reason.
2. All children should be afforded basic civil rights in our public schools, including the right to be protected from unnecessary and improper uses of seclusion and restraint.
3. The programmatic considerations of community-based service providers are often impacted by the absence of consistently enforced standards. The classroom experience of a child constitutes less than one-third of that child's day. For our providers of community-based services, it is common to provide after-hours services for a child, or the child's family. The effort to help children manage their behaviors

is more than a classroom endeavor. Consistency is important not just during, but after school as well. When consistency is lacking, success for the child is harder to attain. The passage of this bill would erode the consistency between school and life at home or community-based service standards for children, families, school personnel and providers.

Chairman Jennings, we urge you to thoughtfully consider withdrawing this bill and allow the party that brought this bill and other stakeholders to collaboratively address this and any other issues surrounding the ESI Task Force policies.

Thank you for your consideration of our position and request.