

February 6, 2023

Senate Committee on Education re: SB819
Chair Sen Dembrow and Vice Chair Weber

I am an educator, I am a parent of a disabled child who was put on shortened days & who ultimately left School District Eugene 4J to find an accessible education, & I am an advocate for listening to those with lived experience.

Our oldest child was pushed out of 4J in a process that lasted all of kindergarten year & into 1st grade. His entire kindergarten year was spent on shortened days & still getting sent home so often I quit doing anything other than waiting for a phone call, it was spent with me having to volunteer as his 1:1 aid, with my 2-year-old on my hip, so that he could access things like recess & assemblies. It was spent basically telling my son – you're not good at school, school cannot handle you, they're not even going to try.

Meanwhile, even as they could not serve my child without my assistance or without calling me to come pick him up even earlier than planned, they resisted all of my advocacy for putting together an IEP – & as a teacher myself I advocated knowledgeably & in good faith. When we finally left we -STILL- didn't have an IEP in place. I had the principal say to me at the beginning of 1st grade that my son could not access the resource room & the SpEd teacher when he needed a break from the regular classroom 'because they couldn't justify that on paper'. She claimed it wouldn't be 'least restrictive placement' – to which I responded, 'but you have him on shortened days & you'll send him HOME?!?' After this conversation they finally allowed him to access the resource room for breaks & it was incredibly helpful, but by then he had already been pushed into deep crisis in the regular classroom. Why couldn't the resource room have been available without my forcing them to offer it?? Why wouldn't they be as in a hurry as I was to get my son on an IEP that he obviously desperately needed??

I fully cannot wrap my head around, as a parent or as an educator, a system that has convinced itself it cannot handle 5-year-olds – but somehow thinks it's the expert on how children develop & how children learn best. A student's conception of themselves as a student / as a part of the school community / begins in kindergarten, at age 5 & there is research that says it's pretty well set by age 8. When you tell them they're not good enough they believe you. When you tell them they don't belong at school they believe you.

At the root of all of this // of the crisis we're currently in // of why schools are flaming out kindergarteners & 1st graders & 2nd graders // you'll find behaviorism & PBIS – systems that put compliance above all else & never look upstream to the why of what is happening.

Both as a parent & as an educator I believe that behaviorism is not only a thing of the past, but one of the most harmful things we've ever let take hold in education. When we let a system view **children**, particularly disabled children, as their behaviors & nothing more, we continue in the long history of dehumanizing all disabled people. When the inhumanity of behaviorism hits a student who sits in an intersectional place, the effect is often devastating. There is a progressive movement out there, towards relational health - towards peer support - towards acknowledging those with lived experience as necessary to the process. As I watch legislative & educational efforts at expanding equity, I wonder when this lens will be extended to disabled students?

When you put kids on the behavior track, where they're constantly overanalyzed & told they're not good enough, not typical enough – with 'behavior plans' meant to extinguish their trauma responses rather than changing the aspects of school that are traumatizing them – when you don't even consider that the adults might be the problem, not the 5-year-old child – school becomes a deeply traumatic place.

As we were –finally– going to sit down to finalize an official IEP I went with my child to shadow him for a whole day in 1st grade. I never took him back. It was the most heartbreaking experience of my life. I could not believe I'd been allowing what I witnessed happen to him to happen to him. No, it didn't go so far as seclusion & restraint – but he was made to feel less than by every adult he engaged with that day. He left 4J with so much school trauma. Our whole family left with school trauma.

For this reason I have a very hard time with SB819. I don't believe that denying a child FAPE is acceptable. But I am terrified for the children that we'll be forcing the districts to not send home. I am terrified that this will result in something worse than shortened days ((which is why I am glad it's being considered alongside legislation to end seclusion & restraint)). But without an end to PBIS & other behaviorist methods that are dehumanizing our children & sending them into crisis spirals – until districts quit refusing supports until being forced to, through the drawn out process of fighting for an IEP – I just don't know. Would you leave your child with someone who had to be forced by law to keep them? Who had to be forced by law not to lock them in a padded closet?

I'd like to tell you the rest of our story, although it doesn't pertain directly to either bill ----

Since leaving 4J & homeschooling (something I never thought I would do) & then joining Marcola SD's TEACH-NW (a public virtual charter) my son is absolutely thriving. This is his 5th grade year & he's having a blast. He competed at the statewide tournament with his school's LEGO First Robotics League & is participating in OBOB. His favorite TEACH-NW class is bowling, but he's pretty into math & science too. He's a voracious audio book reader & a beautiful storyteller.

His crisis behaviors ended the day we decided to homeschool. They'd only ever happened at school. School had been his crisis.

I've had the time & distance to really marvel at how quickly this whole thing just spiraled out of control. I hope that in hearing my story, & others, you can see that the crisis in our schools isn't as simple as passing legislation to make sure the worst things don't happen. We who believe in public education need to have a very honest conversation about why we're in crisis – & how some things that we're investing a great deal of time, energy, & funding in are making things worse rather than better.

Sincerely,

Heather Millehrer-Huerta & Antonio Huerta

Eugene, OR