

PERSONAL TESTIMONY AGAINST HB-3835

I know first-hand what restraint and seclusion can do to a child. My bright, happy, little first grade girl was placed into a special education extended resource room in the Eugene area for being hyper and unable to regulate herself without a lot of exercise. I should state that she handled K so well the year prior, that she did not even need an IEP, but that was a different school district, and a different teacher who was flexible and kind. We moved and wanted her to go to the neighborhood school. Right away, she began to experience abuse by seclusion and restraint. The abusive teacher dragged my sweet, innocent, scared child across the floor by her little arms in front of other students - likely causing them trauma as well! The teacher dragged her or pushed her inside the seclusion room and then shut the door – locked it with a magnet and covered the window with paper hundreds of times! My baby was left in this room for hours and hours on end. She was left in there so long that my potty-trained child frequently urinated in her pants. She ended up getting UTI's from being locked in for so long and we could not figure out why. We asked and asked but were given excuses. She missed lunches and was left in there alone while everyone else had left for lunch. Again, we asked and were given excuses. She had no food or fluids for many hours at a time. She came home with bruises on her wrists many times and could not tell us what they were from. We thought they were from the swings at school. This seclusion room situation happened 1 to 3 times per every school day for 1.5 years unbeknownst to us.

She never knew how long she would be locked in there, which gave her a lot of anxiety. She has never felt fully safe in the world since this was done to her. The white walled seclusion room was empty except for 2 bean bags, and it was very scary.

Never was my child a danger to others or herself. Not once was she placed in seclusion for safety reasons. She has always been full of energy and could be a challenge but never mean or violent in any way.

As she got older, and through therapy, she was able to tell us what happened to her. She was dragged or physically pushed into the seclusion room for **math refusal or for crying!** Not for any other reason! She cried because she was scared of the teacher and her school - and because the teacher repeatedly took recess away from her, which by the way she needed to self-regulate. She was supposed to be getting great social exposure to kids her age at school and recess to run her energy off, but instead it was all taken, and she was abused to the point of extreme trauma. Think about that – in a year and a half the only time she felt safe was when on recess away from the abusive teacher, and that was removed most days for not doing her math. She cried every morning before school, and she cried all of the way to school some days because of her fear and trauma. Things went downhill from there. She believed she was a 'bad kid' because this happened to her nearly every day,

which is why she says she didn't tell us much about it. She began to think it was normal! The teacher did it to other kids too. Her self-esteem plummeted and she was very depressed. A first-grade little girl feared for her life every day when she went to school. Flight or fight happened for her daily. Little brains become damaged when they experience trauma like this.

We blindly trusted the school and the teacher. We never even imagined something like this could happen. We are educated, good, involved parents. How could this have happened to our family? We had never even heard of seclusion and restraint!?! We didn't know what was going on. We should have known but we were lied to repeatedly by the teacher and stupidly trusted her. This is still no excuse, and I take full responsibility because it was my job to keep her safe. It is my single biggest life regret. Just writing about this situation brings me to tears still to this day.

Finally, the red flags of a sad kid, missed lunches, potty accidents, bruises, and a lack of explanation or appropriate response from the school pressed us to hire an educational attorney. The attorney helped us get her out of that class and away from that school. By then it was too late, she had experienced so much trauma.

The teacher must have known it was NOT OK. She told us occasionally "***I took her to the 'break-room' today.***" **Not, "I dragged your child by the arms in front of the other kids into the white, blank walled, seclusion cell the size of a closet without a window where I locked the door and left her there alone for hours crying."** The 'break room' had such a peaceful ring to it. It sounded like a *happy little place* to sit and be relieved from sensory overload. It sounded to us like it would smell of crayons and be filled with stuffed animals, with happy posters on the wall- but it was the exact opposite of that.

This was 2009 and neither the teacher nor the school were legally required to inform us she was being restrained/secluded. The teacher was not required to report it even to the dept of education, and she did not report it.

Our darling kid went through **ten straight years of therapy** to try to deal with the trauma. ***She was diagnosed with CPTSD due to the seclusion room and restraint abuse she suffered at her school.*** She has needed anxiety medication since the seclusion and restraint traumatized her.

She has had flashbacks of being dragged/pushed into the seclusion room. She had panic attacks from the trauma and ended up being a bit of a challenge for teachers as she went through school in regular education because of anxiety and being afraid of what they might do to her. In middle school (same school district) she spent most days in the vice

principal's office as her trauma and anxiety had caused her to act out by talking during class and being the class clown. This beat her down further because she was always in trouble.

Luckily, we found a charter school in another school district that had a great reputation for supporting traumatized and bullied kids and we sent her there. We drove her every day for grades 9-12 because the prior school district would not transport her, even though it was the BEST placement for her well-being and the old district insisted on keeping half of her funding too. This new school in the new district was exactly what she needed. **These were loving, kind, and brilliant teachers who actually cared. They connected with kids.** She was able to talk about the traumas she had suffered through, and it was cathartic. The new teachers fawned on her and grew to love her very much, and it helped her tremendously. **She was never in trouble even once at the new school in all of those years.** We never got even ONE call about misbehavior, as a matter of fact, quite the opposite. **When teachers use connection and lead with kindness, children do not usually act out and if they do, it is part of their disability. No child ever wants to be the bad kid! Using seclusion and restraint actually ends up causing so much trauma that their behavior will worsen!**

One of her middle school teachers from the prior middle school was a very talented teacher and cared. He came to her graduation at the charter school...likely expecting to see a "troublemaker" - but instead saw a standing ovation and people screaming and clapping for a resilient smiling girl walking across the stage. She talked confidently into the microphone and made people smile and laugh. She had learned to trust teachers again because they made a connection with her and treated her well. Many of her teachers from the charter school cried when they spoke of her at graduation! They spoke of how she bloomed from a shy anxious kid into a well-liked one, with many friends and the love of her teachers and administration.

She still has flashbacks and issues with trusting people. It will affect her forever. It has affected myself and my husband in ways that words cannot even describe. We have the entire gamut of feelings of sadness, guilt, depression, anxiety, and lots of anger that this happened to her, and still to this day we beat ourselves up. We all changed after that year and a half and have never been the same since.

Imagine what child protective services would say if a parent did the things to their child that this teacher did to mine. Yes, we made a complaint to CPS. To our knowledge nothing was done.

Many of the bright children in special education classes are non-verbal - in their early years especially. They sometimes cannot tell us what is happening to them in a way we understand. What will happen to them if this bill passes!? What if we had not figured out what was happening? Our girl would have endured 2.5 more years of abuse with this teacher! There is no reason to make seclusion and restraint a plan or even a choice to reprimand little kids. There are much better ways to change behaviors.

“For more than a decade, [school nurses](#), [pediatricians](#), [lawmakers](#), and [others](#) have warned that restraint and seclusion can cause long-lasting trauma and escalate negative behaviors. In the worst cases, children have reportedly died or suffered serious injury” (Clasen-Kelly, 2024).

Federal law states that educators are generally allowed to use restraint and seclusion to keep staff and students safe from imminent threats to safety. However, children have died or ended up with PTSD or other injuries for minor transgressions such as being ‘uncooperative’ or failing to stay in their seat, (Clasen-Kelly, 2024).

“The result of children experiencing being restrained and secluded creates trauma responses in the brain. Any experience that the brain perceives as unsafe despite with whom, when, and where is traumatic. The stress response in the lower part of the brain is designed for survival and it does not nor cannot delineate between perceived and actual danger. The neurobiological mechanism that becomes activated from the experience is popularly known as the “fight-flight-flee-freeze” stress response. This response has been exhaustively researched over decades of neuroscience research. The ripples of trauma occur in the neurobiological patterns in the brain’s stress response system. Ripples have an extensive reach that eventually impacts the entire system. These “ripples” often remain and impact development into adulthood. The neurobiological pattern of trauma creates ripples affecting domains of neuro functioning, impacting all areas of our lives. It is no longer acceptable to be ignorant of the trauma from restraint and seclusion, whether that occurs in school systems, psychiatric programs, or group home organizations. The phrase “if we know better, we do better” has truth for those who choose to accept new knowledge even if it challenges established beliefs. However, there can be ripples other than in trauma; there also can be ripples of ignorance,” (McGillicky, 2024).

Thank you for reading this. Please make the choice to vote against this bill and for the future of our children in Oregon.

References

Clasen-Kelley, F. (2024) 'I'm Not Safe Here': Schools Ignore Federal Rules on Restraint and Seclusion <https://kffhealthnews.org/news/article/restraint-seclusion-schools-students-disabilities-reporting-requirements-ignored/>

McGillicky, S. (2024) Alliance Against Seclusion and Restraint. Opening Doors to Safer and More Inclusive Schools. The Ripples of Trauma From Restraint and Seclusion. <https://endseclusion.org/2024/10/15/the-ripples-of-trauma-from-restraint-and-seclusion/>