

Members of the committee, my name is George Gilchrist. I am from Eugene, and I am writing in opposition to House Bill 3835.

I appreciated the opportunity to speak before the committee yesterday morning, Tuesday, March 25th, with my daughter Ella. Listening to her speak about her lived experience caught me off guard, and I had trouble articulating what I had come to say. Thank you for providing a second chance to explain why seclusion and restraint of children should not be allowed in schools. I write as a parent of an only child who experienced daily seclusion and restraint during first grade. Seclusion and restraint in first grade influenced the entire trajectory of her public education, social skills, and so much more. I am also writing to you as a registered nurse who works at Oregon State Hospital with first-hand experience participating in seclusion and restraint of patients as a nurse, a manager, and an educator. To be clear, I am not representing Oregon State Hospital in any official capacity. The views and opinions I share are my own.

As stated yesterday, I fully support a teacher's right to work in a safe environment.

Parents send their children to school to learn and build social skills. Teachers prepare kids to be contributing members of society through learning and role modeling. Parents expect that their kids will be safe and looked after in a nurturing learning environment by adults who will contribute to their children's growth. I can not imagine that anyone becomes a teacher without a strong desire to help build young people's lives. Ideals aside, parents send their kids into an education system that is underfunded to learn from underpaid, undervalued, and understaffed teachers who are pressed for time and resources in crowded classrooms.

I feel grateful that laws exist to address seclusion and restraint in schools. Our daughter didn't have the luxury of laws protecting her, and she experienced seclusion as punishment for disrupting class or not participating in work. We heard stories from her about being dragged across the room in front of her peers by a teacher who would deny her food, water, recess, and even the opportunity to use a bathroom. Every day, it was a struggle to get our daughter ready to go to school because she was scared of her teacher. With that kind of adversity, school was not much of a learning environment.

So, what does her learning experience prior to laws have to do with House Bill 3835? I guess my concern is that when teachers go hands-on with students and hold them down, they're still causing a lot of trauma. It doesn't matter how often seclusion and restraint happen because once is enough to cause physical and psychological injury to a child. Staff who are involved in seclusion and restraint suffer collateral trauma and are at risk of injury as well. Seclusion and restraint emphasize the power differential between students and teachers. If a child does not trust the person standing in front of the classroom, they will not learn or ask questions. They will not thrive. Seclusion and restraint stigmatize students from teachers and alienate them from their peers, creating more barriers to social skills and lifelong friendships or even playing on the playground. No child deserves to be held down and placed in seclusion.

In any other environment, if an adult put hands on a child and held them down because of behavior, I think most parents would call the police. Children are not criminals. They have not been committed to a mental hospital. Why would anyone think it is ok to treat fragile, developing minds and bodies in harms way? Aside from clearcut circumstances, I have questions about adults working in a stressful environment, determining if a students behavior has risen to a level significant enough to be considered a true danger to themselves or others. The rules in this house bill are intentionally opaque because behavioral issues and their circumstances are not consistent and possibly not even objective. I reviewed the description of programs staff must attend to practice seclusion and restraint in ORS 339.300, and it didn't reassure me. There is no information about how frequently staff have to train or what their training consists of. Without setting standards for frequency of training or by leaving frequency to an individual School District to decide, there is bound to be variability in practice. It is very clear that if training does not occur regularly in frequency and consistency, staff will lose memory and familiarity with safe techniques for de-escalation and seclusion and restraint. That will lead to more injuries and trauma for students and staff.

I noticed the word 'involuntary' was placed in front of the word seclusion, and 'involuntary seclusion' occurs about 110 times in this document. I'm wondering what the distinction is or why it is important to call out the word involuntary because it insinuates there is another type of seclusion. There is no mention of voluntary seclusion or some other sort. A student asking for quiet time in a separate room, for example, would not be considered seclusion.

The moment a teacher or staff member lays hands on a student, there is no hope for any learning that day. That event will impact a child's ability to learn for a long time they'll have to reestablish a trusting relationship with the teacher to do so. They will be afraid of the teacher. They will have trauma associated with being forced to the ground or against the wall or wherever they are when staff put hands on them. They will be taken to a room, likely against their will and locked in, and like my daughter, they may carry that burden for decades. I urge you to reconsider seclusion and restraint in schools.

Thank you