

Testimony in Opposition to Oregon House Bill 3835A

Submitted by: Karen Bures, Executive Director of BEAM and former educator at High Desert ESD Offsite Behavior Program

I am submitting this testimony to express my grave concern regarding House Bill 3835A. While I understand the bill's stated aim may be to clarify the use of restraint and seclusion in Oregon schools, in practice it lowers the threshold for their use and weakens critical protections for disabled students—particularly those impacted by trauma and behavioral challenges.

As a former educator at the High Desert Education Service District's offsite behavior program, I witnessed firsthand the misuse and overuse of restraint and seclusion. I was instructed—and expected—to restrain and seclude students in instances that did not meet the legal or ethical threshold of *imminent risk*. In many cases, these were children experiencing distress, not posing a true danger. What I have observed over time in special education are staff that are under trained and under-resourced, and lack the de-escalation skills necessary to avoid crisis. In such environments, restraint and seclusion become normalized—not as a last resort, but as a go-to tool.

Oregon currently approves crisis intervention trainings where restraint and seclusion are central pillars, rather than exceptions. These programs often create a mindset that educators must be ready to “go hands on,” rather than focus on prevention and relational skill-building. It instills a culture of fear and control, where staff are conditioned to anticipate violence, rather than understand student behavior as a form of communication. This culture feels less like trauma-informed education and more like preparing for war.

When I began to push back on that narrative—suggesting alternatives, advocating for trauma-informed approaches—I was met with swift retaliation. I was explicitly told that discussing non-restraint-based strategies made leadership “feel unsafe.” Eventually, I was given an ultimatum: stop talking about avoiding restraint and seclusion, or lose my job. I refused to be silenced. But let me be clear: if educators cannot even discuss safer, more effective alternatives without fear of reprisal, our students are not safe.

Additionally, the state's restraint and seclusion data is riddled with underreporting and omissions. In my experience, incident reports were often incomplete, delayed, or entirely unfiled. Parents were sometimes never notified. The trauma these practices cause—especially to children with disabilities—is profound. The research is clear: restraint and seclusion *cause* harm. They retraumatize, they isolate, and they dehumanize.

Let's also name what isn't often said aloud: implicit bias plays a significant role in who is restrained and secluded. Students of color, students with disabilities, and students impacted by poverty and trauma are disproportionately targeted. Educators, often overwhelmed and unsupported, may experience a student's distress as aggression and respond in kind—acting from their own dysregulated nervous systems. I've heard staff use exaggerated, histrionic

language to justify their use of restraint, painting young children as dangerous threats in order to validate adult fear. This is not safety. This is systemic failure.

Finally, we must not ignore the physical risks. Restraint and seclusion have caused injuries to both staff and students. In some tragic cases, they have caused death. To lower the justification standard for their use—as House Bill 3835A proposes—is not only dangerous, it is unethical.

We do not make schools safer by expanding the conditions under which we children may be harmed. We make them safer by investing in more effective staff training, hiring highly skilled personnel, implementing restorative practices and social emotional learning, and ensuring that every child—regardless of disability, behavior, or background—is treated with dignity.

I urge lawmakers to reject HB 3835A and instead pursue policies that protect our most vulnerable students, empower our educators with effective tools, and align with what we *know* about trauma, brain science, and equity.

Sincerely,

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