

Approved: February 22, 2011  
Date

MINUTES OF THE HOUSE CHILDREN AND FAMILIES COMMITTEE

FEBRUARY 10, 2011

The meeting was called to order by Chairman Kiegerl at 9:05 a.m. on February 10, 2011, in Room 142S of the Capitol.

All members were present.

Committee Staff Present:

Jay Hall, Intern, Kansas Legislative Research Department  
Renaë Jefferies, Office of the Revisor of Statutes  
June Christensen, Committee Assistant

Others Attending: See attached list.

Conferees appearing before the committee:

Jane Rhys, Executive Director, Council on Developmental Disabilities  
Rocky Nichols, Executive Director, Disability Rights Center of Kansas  
Linda Aldridge, ED.D, Legislative Officer, Kansas Association of Special Education Administrators (KASEA)  
Terry Collins, Director, Doniphan County Education Cooperative No. 616  
Kris A. Ehling, Parent of Child with Disabilities

Written Testimony:

Lee Stickle, Kansas State Department of Education (Attachment 6).  
Kathy Kersenbrock-Ostmeyer, Director, Special Education, Parent of Child with Disability (Attachment 7).  
Mike Bilderback, Director of Special Education, Wamego School District (Attachment 8).  
Lesli Girard, Director, Families Together (includes testimony from Aimee Keohane, Jeremy and Rachel Banning, Anonymous Grandparent, Leann Sumpter, Jessica B. Greene, and, Linda Weinmaster) (Attachment 9).  
Anonymous Parent (Attachment 10)  
Janette Keil, Keys for Networking, Inc. (Attachment 11).  
Tom Laing, Executive Director, InterHab (Attachment 12).

Approval of January 25, January 27, February 3, and February 7, 2011, Minutes.

Motion by Representative Bill Wolf, seconded by Representative Meigs, to approve the January 25, January 27, February 3, and February 7, 2011, minutes as presented. The motion carried unanimously.

Jane Rhys, Executive Director, Council on Developmental Disabilities, appeared before the Committee supporting legislation that would make seclusion and restraint of autistic children the same in all Kansas school districts (Attachment 1). She defined autism and noted that the present seclusion and restraint methods often don't work, because the children do not like to be touched. She said a nurturing environment rather than restraint or seclusion is often more effective.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON CHILDREN AND FAMILIES  
Room 142S, Statehouse, 9 a.m., February 10, 2011

Rocky Nichols, Executive Director of the Disability Rights Center of Kansas, presented testimony in favor of the proposed legislation. He gave a brief history of the seclusion/restraint issue in Kansas that included the *Guidelines* passed by the Kansas State Board of Education (Attachment 2). While it was of help, it does not have any enforceable protections. He cited statistics of deaths and injuries that have happened nationwide as a result of restraint use. He presented two legislative options the Committee might consider and possibly refer to an exempt committee if it could not be advanced by this committee.

Linda Aldridge, Ed.D, Legislative Officer for the Kansas Association of Special Education Administrators (KASEA), spoke in favor of the present system of using the guidelines that were based on federal regulation and what is required by the *Individuals with Disabilities Education Act (IDEA)* (Attachment 3). She reported that no contacts, due process, or dispute resolution claims regarding seclusion/restraint had been received and that the federal guidelines stress that states should strive to minimize special education rules and regulations.

Terry Collins, Director of the Doniphan County Education Cooperative No. 616, also spoke in favor of maintaining the current federal regulations and IDEA requirements (Attachment 4). He quoted statistics showing a minimal number of reports regarding restraint and seclusion issues and that KSDE had not received contacts from the Disabilities Rights Council or Kansas Families Together regarding restraint/seclusion issues.

Kris A. Ehling, parent of a child with disabilities, spoke in favor of stronger mandates for the treatment of children with autism and more consistent use of restraint/seclusion for them (Attachment 5). He said he was a parent of a child with autism and reported the issues encountered with use of restraint/seclusion. He urged the committee to pass legislation mandating consistent policies for using seclusion/restraint into law.

Chairperson Kiegerl said the committee will carefully consider the issues discussed today. He announced that next week's meetings would be hearings on proposed bills.

The meeting was adjourned at 10:30 a.m.