



Testimony Supporting HB2444
February 2012

Respectfully submitted by:
Jeremy and Rachel Banning, parents
3235 N Lake Ridge Court
Wichita, KS 67205
Unified School District 266, Maize
Diagnosis: Asperger's Syndrome
Currently placement: 2nd grade, Home School

We made the difficult decision to home school our second grade son, Dylan, after determining that he was in a toxic environment at school. Of the 25 school days we were enrolled, Dylan spent only 19 days out of those days at school, and was out of the classroom for various amounts of times including suspension, but more than 11 behavior incident reports had no end time or duration length-or if he was accompanied or not, documented on them. Many reports stated an hour to an hour and a half away from the classroom. We witnessed many occasions where Dylan was verbally slandered right in front of us, and other students and professionals. Ironically enough, at the time we revoked our consent for special education services, the Behavior Consultant for SPED 618 had not contacted us one time in those 25 days regarding Dylan's behavior, and his grades were superior with no formal education or individualized program occurring at school.

In September, when it was suggested that Dylan enter into a different placement than the one he had succeeded at the year before, as parents, we remained opened minded and visited the suggested placement which included a classroom with a time out room inside of the classroom, however, we were told that they never place a student in there alone, instead, the entire classroom would be emptied of other students during a meltdown. This again, was difficult for us to imagine as Dylan had not demonstrated behaviors at home, in the community or at daycare. Observing the new placement barred no faith in our opinions that the placement would be appropriate for Dylan and since trust had already been diminished between the school and us, we opted to home school.

This year, we had two major instances of seclusion/restraint that we know of, we'd like to share today that Dylan endured during his 19 days of school, however, the second incident is so utterly humiliating, and we don't want to go on record today, but pray that no student be treated so inhumanely that he/she responds as such.

#1. On the very first day of school, Dylan went to music class that took place in an amphitheater style room. The music teacher had an activity which included the drums. Dylan became excited about getting to use the drums, however, when he didn't comply with the music teacher's demands, he was taken away. The teacher continued with the lesson and the students—all 22 of them minus Dylan began beating the drums, Dylan became scared from the over stimulating environment and went to run out of the room where he was stopped and restrained on his back and to the surprise of his peers, his legs were pinned down while he scream and hollered and was eventually taken out of the room. No report was sent home.

Our son is being homeschooled for one simple reason; school is not a safe environment for him. The lack of documentation, lack of teacher and para professional training endangers him. Communication with parents regarding behavior is vital. As parents, we would be reported to SRS for placing our child in a locked timeout room, our daycare provider—and other disability service providers would lose their licenses for the use of such rooms and restraining techniques. Why is the same commitment to decency and safety not expected of our teachers, administrators and professionals? We strongly urge this committee to pass HB2444.