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Testimony in Opposition to HB 2243

Chairman Jennings and Members of the House Corrections and Juvenile Justice Committee:

My daughter Rachel is 17 and has Down syndrome. We are in Olathe Unified School District. My daughter is fully included in the general education classroom, participates in Christian Youth Theater, church youth and choir activities and is featured in *"Just Like You – Down Syndrome."* Rachel testified before the legislature two years ago, in support of the ABLE Act and recently opened the first Kansas ABLE Account. She is an ambassador for the National Down Syndrome Society. Overall, we have been very pleased with the school system.

However, when Rachel was in the 4th grade she was restrained by **the Speech Language Therapist who had worked with Rachel for about 18 months. She restrained her twice in a five-minute time period using CPI restraining techniques and taking her to the floor.** She didn't report it to anyone. She stated that Rachel was not a danger to herself or others. Rachel was not a wanderer. Rachel didn't and doesn't have a behavior plan as part of her IEP because it is not needed. Rachel is like every other child and can be stubborn and strong-willed, but she is usually re-directed without a lot of fuss. We are frequently complimented on her good manners and good behavior.

I have been a long-time advocate for the inclusion of students with Down syndrome in the general education classroom. This incident prompted me to become pro-actively involved in the seclusion and restraint dilemma. I testified before the Kansas Children and Seniors committee twice and was appointed to the Kansas Emergency Safety Intervention Task Force. The task force unanimously agreed to endorse policy changes on the use of seclusion and restraint in public schools which were passed into law just last year. The changes passed last year were 13 years in the making. The Legislative Committees (House Children and Seniors, Senate Education) have heard many stories more heartbreaking than ours. Our Task Force is very proud that the different education and disability communities could come together and unanimously supported this Task Force recommendation.

I urge you to reject HB 2243 which would undo compromise reached last year when a legislatively mandated and created Emergency Safety Intervention Task Force reached agreement.

This new bill violates one of the Core 15 Principles endorsed by the US Department of Education regarding effective and safe use of seclusion and restraint in public schools. You can read the report at this link - <https://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf>. I also feel like it demolishes the work of the task force.

Thank you.

Sincerely,

Jawanda Barnett Mast
Parent Advocate