

Renee Smith
Testimony for the Record
Classrooms in Crisis: Examining the Inappropriate Use of Seclusion and Restraint Practices
February 27, 2019

Chairman Sablan and Ranking Member Allen – thank you for the opportunity to testify this morning.

My name is Renee Smith and I am from Coventry, Rhode Island. My Son Dillon (pictured at right) is 8 years old and has repeatedly experienced the trauma of restraint and seclusion in his school. I believe that if our school district had provided the appropriate supports when Dillon most needed them, our family would have been spared years of pain and stress.



When Dillon was about 2 years old, my husband, Erik, and I started to suspect that Dillon’s lack of self-regulation and aggression might indicate he had a disability. At the time, however, many people just assured us that “boys will be boys.” We began to realize these behaviors were not typical shortly after Dillon began attending a private pre-K. Soon after, Dillon was expelled from the private school due to his inability to self-regulate and control his emotions. At this time, we began to seek professional mental health services and evaluations on our own. Mental health professionals stressed Dillon’s need for positive reinforcement. We put him in our local public school to finish out the year. His new Pre-K class provided positive supports and a short school day. Dillon did well in that environment.

After Dillon began kindergarten, we noticed he was having difficulty with transitions, frequent meltdowns, and shutdown behavior in school. The school initially refused to provide a 504 plan or individualized education program (IEP), even after receiving Dillon’s diagnosis of Autism Spectrum Disorder (ASD). We had to fight for over a year for a 504 and then an IEP, despite the diagnosis of ASD and Dillon’s difficulty functioning in the classroom environment. Positive reinforcement was made a part of the initial IEP, but was not enforced until a full year later.

In kindergarten Dillon had a meltdown in which he shut down and was unable to regain control. The school called 9-1-1 and requested that I get there before the rescue if I did not want him transported to the hospital. I received such crisis calls several times a month, sometimes weekly, throughout Kindergarten. I later learned that before I was called, the school had been restraining him, removing him from the classroom, and transporting him to the principal’s office or other rooms that were available.

Dillon is a smart child. We never worried about his academics. We worried about his ability to function in a classroom environment without any supports.

As Dillon began first grade, he was enrolled in a program for children with ASD in that same school. The program included some supportive features (like extra breaks) but it also contained a walled-off area in the middle of the room for children to calm down. This area, called the “blue space,” has walls that are about 4-5 feet tall, and is padded on 3 1/2 sides with an extra pad that can cover the opening to keep a child from leaving the space.

After being dragged into this room for several weeks, Dillon increasingly refused to do his school work. His work avoidance, we now know, was in direct reaction to the restraint and seclusion he was experiencing. Since the “blue space” was within a shared space, other students would be present for Dillon’s meltdowns and shutdowns. Dillon was aware of the other students and this added to the trauma. The more he was restrained and secluded, the less he was interested in school work, which resulted in more restraint and seclusion, a constant downward spiral. It broke my heart when Dillon told us that he no longer trusted any of the adults in that school.

During this time, we were attending IEP meetings every 2-3 weeks to analyze various reports and data regarding Dillon’s behavior. Erik and I consistently stressed the need for positive intervention strategies, however, most discussions revolved around providing more breaks and how to react to negative behaviors. Our family acutely felt the effects of this stress. I was reaching my breaking point. I began to see a therapist, as I was always on edge waiting for the next phone call from the school while I was in a meeting or on a conference call at work. If Dillon had a bad morning, I would spend the day anxiously waiting for the other shoe to drop. The constant stress caused anxiety and put incredible strain between Erik and me. I became moody, irritable, and short-tempered. I would swing from snapping at my other son who was three at the time to weeping at the way I had reacted to him. Erik had been working nights during this time and began losing sleep as the school would call him when they could not immediately reach me. Both of us were under great stress as the school’s inability to fulfill Dillon’s IEP was now threatening our ability to perform our jobs.

Through it all, we received very few verbal notifications of restraint and no written notification. In our final IEP meeting with this school, at the advice of our advocate, we requested the restraint documentation. We received the documents approximately two weeks later. The documents were only dated for the current year. We still have not received any documents for the previous year in school.

During one IEP meeting in first grade, Dillon’s teacher canceled our parent/teacher conference because she did not have any grades for Dillon as he was rarely in her classroom. A week later another call was made to 9-1-1 which resulted in a police officer threatening our then 6-year-old son that if he did not compose himself, dress, and leave with Erik, Dillon would be removed forcibly from school in handcuffs – naked. That same day, Erik informed the Assistant Special Education Director for the School District that they had failed our son and we would be seeking outside placement.

Noncompliance, aggression, and meltdowns are all a form of communication. Dillon was trying to communicate that the strategies used were not working for him and not allowing him to develop coping skills for the future. He was being forced into fight/flight on a regular basis and did not know how to express this. Dillon learned not to trust adults responsible for his education. He learned that he could

not be compelled to participate in his education. Dillon refused to talk about school and often claimed he 'forgot' about the events that day or plainly 'didn't want to talk about it'.

In the middle of first grade, we agreed to an in-district school transfer. We gladly agreed to transfer him from a school that is attended mostly by children from upper income families to one that serves largely low incomes students (and receives Title I funding) in order to find the right fit for Dillon. Within only two weeks of the new placement, Dillon was in a regular education classroom 100% of the time with supports.

The new school's behavior program allows children to float between a special education classroom and a regular education classroom, depending on which subjects they function best within. There are several cool down spaces and one open space within the office of the school behaviorist. The school behaviorist is highly respected by students and staff alike. All school staff have received special training focused on behavior. The entire school participates in a Positive Behavior Intervention Supports program. 'Pawbucks' are accessible to all staff to present to students when they are observed following the major principles of the school's culture. All children received these reward, since there is always an opportunity to find something positive about a student. These rewards can be exchanged every month for picks out of the school's treasure box of toys. Teachers provide positive reinforcement in their classrooms and individualized one-on-one with their students. One example was a jar with marbles. Every time Dillon did something expected, followed instruction, or transitioned well, he could place one or more marbles in the jar. Once the jar was full, he could pick out of the treasure chest.

As a result, Dillon is now doing really well at school. With the proper supports, he has blossomed as a student. He now earns grades at or above grade level in every subject. He loves math and recess. He enjoys school and talks about it regularly.

Now that Dillon's needs are being met at school, a huge stress has been lifted from our family. Instead of anxiety we feel calm knowing that even on his most challenging days, Dillon is receiving needed supports from well-trained staff.

Thank you.