

February 22, 2013

Testimony Regarding House Bill 2756

Peggy DeLay, School Psychologist, Beaverton School District

Thank you Ms. Chair Gelser and the Members of the House Education Committee for the opportunity to testify today about HB 2756 regarding the use of Safe Rooms/Seclusion Cells. My name is Peggy DeLay and I a School Psychologist for the Beaverton School District. I have been a Special Education Teacher since 1996 and a School Psychologist for the last six years working with special education student in self-contained classrooms.

I am writing this today because I am extremely considered about the impact of HB 2756 on the provision of special education services to students with disabilities. As an educator I have worked with a wide variety of students, many with disabilities that significantly impede their learning and social interactions. Each student engages in various levels of behaviors, some are self-injurious, while others are aggressive and violent when their needs are not being met or they are overstimulated. Over the years I have been able to successfully meet the academic, social-emotional, and behavioral needs of students who exhibit extremely unpredictable and violent behaviors through the use of proactive strategies, social training and behavior interventions. These strategies include the use of a seclusion room when it is necessary to ensure the safety of the student and others. The seclusion rooms are a last resort, and must include an instructional component, no intervention is successful without the teaching of a new skill to replace the maladaptive behaviors. The seclusion room is NEVER to be used as a punishment, it should be a tool and teaching must occur.

I strongly believe that House Bill 2756 will have a significant and negative impact on the students and staff in an educational setting for the following reasons:

- First, there will be an increased amount of injury to staff and students, because when seclusion is prohibited there will be an increased use of restraint with students which is a more physical intervention. There will also be an increase in the duration and intensity of the restraint due to not being able to de-escalate the situation. Being restrained is a very traumatic event for everyone involved, the longer it lasts the more damaging the effects to the relationships.
- Second, students in these settings for whatever reason have developed a pattern of behavior that is maladaptive. They have a fight or flight response to situation that the typical student can manage. Many of the children in self-contained settings will yell, scream, run away (out of the building or into the street), spit, hit, kick, pee themselves, try to hurt themselves, etc... As a staff it is part of the job, you can expect to be in a situation where one or more of this will occur. However, when the situation escalates to being unsafe for others or the student themselves and it is necessary to use restraint you are damaging the relationship. The success of teaching in these setting is about the

---

District Goal for 2010-2015: All students will show continuous progress toward their personal learning goals, developed in collaboration with teachers and parents, and will be prepared for post-secondary education and career success.

The Beaverton School District recognizes the diversity and worth of all individuals and groups. It is the policy of the Beaverton School District that there will be no discrimination or harassment of individuals or groups based on race, color, religion, gender, sexual orientation, gender identity, gender expression, national origin, marital status, age, veterans' status, genetic information or disability in any educational programs, activities or employment.

relationship and feeling safe. The longer the incident lasts the more damage done. The seclusion room proves a space to keep everyone safe and allows for conversation to begin. There is less time in the crisis mode and more time reflecting and teaching strategies for the next time. The seclusion room should be used as a calming spot, a safe place to be when upset or emotion. It can be a great tool for learning. When in a restraint the level of crisis takes longer to de-escalate leaving only a damaged relationship and in many cases no learning.

- Lastly, students in these settings and needing this level of intervention tend to be highly stressed and have life situations that make restraint extremely detrimental to their mental health and well-being. There are a number of students who are Autistic, or are on the spectrum, for them touch can be a trigger to explosive violent behaviors. This population also includes sexually, physically and psychologically abused children, for whom, the act of touch or restraint triggers memories and extreme reactions. The use of a seclusion room is the safest place to be to deescalate and recover, with their dignity honored. Especially for the sexually or physically abused child, over the years many children have stripped their clothing in response to a restraint.

The current OAR 581-021-0553, the Restraint and Seclusion law, sufficiently addresses the criteria for the use of seclusion and expectations for continuous monitoring during seclusion. I believe the current law addresses seclusion concerns and that HB 2756 will result in unintended harmful consequences for staff and students. Thank you for giving me the opportunity to speak with you today.

Sincerely,

Peggy DeLay  
School Psychologist  
Beaverton School District