

Written Testimony for O.D.E hearing March 12th, 2013

Hello, my name is Arlena. Good morning everyone. First, I would like to say thank you to the Ohio State Board of Education for allowing me the opportunity to speak today. I am here not only to represent my son who has Autism (who is a restraint and seclusion survivor), but the many others who have lost their lives due to being placed in dangerous restraints and seclusion.

I am only in favor of this policy because I feel that it may possibly be a start in the right direction. A special thank you to Helena for inviting us here today to share my son Jonathon's story. Helena, your story has opened up a pathway to be able to share Jonathon's story with everyone here today. And mine as a parent advocating for the right to obtain services for my child. It is the worst nightmare imaginable as a parent to send your child to school in constant fear of what may happen to your child next.

When the abuse first started for my son , he then lacked the verbal skills necessary to tell me how his day went at school. Now, he is able to tell me about the things that has happened to him while he was under restraints daily fearing for his life. Instead of my son getting the services and supports he needed to be mainstreamed in the Least Restrictive Environment, he was then punished for displaying sensory issues beyond his control . Instead of receiving those services or any real understanding from the Toledo Public School system, he was being punished for displaying sensory issues in relation to his Autism and not given the services and supports he needed to thrive in the Least Restrictive Environment.

They say experience is the best teacher. Yet for me as a parent advocating for my son who struggles daily with sensory issues in relation to his autism, came at the expense at that experience : repeated heartache (from supports and services not obtained) and hurt and anger from the severe abuse and trauma my son received at the very hands of his teachers and staff members. Those I entrusted to care , nurture, and educate my son while he was still in school. But that trust I once had in the school system was broken. When my son started coming home from school (on repeated occasion), with unexplained bruises and marks on his body from being physically restrained and assaulted, hungry from having food and drink withheld for "behavioral

modification", duct tape on his clothing, and soiled pants and underwear from being placed in seclusion rooms and had also contracted a staff infection from being denied access to use the restroom and was left to in seclusion for hours on end to urinate on himself.

Last year, the TPS school system tried to get me to place my son into a behavioral facility. Which I determined, upon visitation of that facility, that it was not an appropriate nor a suitable placement for my child. I also found out the main reason for this was that the TPS school system did not want to have to provide the supports and services needed for my son to be mainstreamed in the Least Restrictive Environment. The assistant Special Education Director had also prior to this , had amended my child's I.E.P without consulting with me nor had my consent to do so and had the one on one aid written out of his I.E.P.

Prior to withdrawing my son completely from the TPS school system and the last school he was in, I found that they were withholding food and drink from my son for "behavioral modification". When , there were no Functional Behavioral Assessment done to even implement a behavioral plan in the first place. Which, I had requested for an FBA back in March 2011 that this evaluation be done on my son Jonathon. That written request was totally ignored and denied by the Toledo public board of education. Yet they felt the need once again without my consent, to implement a behavioral plan that consisted of them withholding food and drink from my son for "behavioral modification"? which was done from the very intent to try and gain compliance from my child for "undesirable behavior"?

I pulled my son out the day they called the police on my child for fear of his safety and he has not been back since. He is now enrolled in a charter school and I sacrifice not being able to work to ensure my sons safety. My son is now terrified of going back to school as I am to send him back. Because the environment the TPS school system wanted to provide for my child was not an environment I felt that was safe nor appropriate for my son to be in. When the police was called on my son back in September of 2012, he was displaying sensory issues in relation to not only him having Autism, but from being denied food and drink by the staff at Laverette Elementary all that week for "behavioral modification". The reason why I know this is because he came home complaining that he had not eaten

anything at school and that they would not allow him to eat anything while he was at school.

That day he was assaulted by five staff members and while under physical restraint was told by one of the male staff members (his math teacher), to shut up and that he was a "hopeless retard" while trying to tell them that he could not breathe. My son never intentionally set out to hurt anyone. In self-defense he bit one of the teachers to get away from being restrained and hid underneath a desk. This he did only out of self-defense and for fear of his life. His reaction was one out of fear for his personal safety and fear of being punished for only displaying the fact that he was hungry and scared. When I came to pick him up that day, that is where I found my son, hiding underneath a desk. Luckily, I lived five minutes from the school and was fortunately able to get there in time and to stop my son from being arrested. He probably would have been had I not been there to stand up for my son's rights and to explain the fact that my son had Autism to the police officer.

I have often heard the argument that Restraint and Seclusion is only for safety purposes and only to be used as a "last resort" and only in cases of "imminent danger". When children as young as four and five are placed in dangerous restraint holds and are being placed in seclusion as young as five or six years old. In regards to the deaths of Jonathan King, Jonathan Carey, Faith Finley and Corey Foster, what of their parents? when they will never have answers or closure as to why they lost their children by them being restrained and secluded?

As for this argument that restraint and seclusion provides "safety for the other children", what then for the right to safety for our children? Do our children then become the minority group and punished for only displaying issues in relation to their disability? What then do our children's right to safety then be compromised in order to achieve comfortability and conformity in the classroom? then indeed, we do have a safety issue for all our children and an issue with discrimination of our children's right to a free appropriate education under FAPE.

In light of this revelation, it is time to promote proper training for all those who work with our children. Proper training is not CPI/restraint training. What the districts

should be providing all staff members with is Positive Behavioral Support training for all staff members who will work with our children and the training to recognize our children's sensory issues are not behavioral issues or to be treated as behavioral issues in working with our children.

Instead of placing our children into rooms that are likened to a isolated jail cell, how about from pre-school have classrooms designed to meet our children's sensory needs by supplying the classroom with sensory items for our children to take frequent breaks when needed?

In truth, the very heart of the matter is this , that for the parents who are advocating daily for their children to receive a free appropriate education , we are dealing with a faulty and broken educational system and it is up to every one here today to make the decision to build the for a brighter future for all our children. A bridge between school districts and parents to bridge the great divide and fix it together. By school districts welcoming parental involvement back into our children's education once again. Thank you O.D.E for your time and consideration here today. Godbless everyone - Arlena Zeek