

March 12, 2013

Public Hearing Comments on Proposed OAC Rule 3301-35-15: Standards for the implementation of positive behavior intervention supports and the use of restraint and seclusion.

Good Morning my name is Michelle Kallick. Thank you to the Ohio State Board of Education and Ohio Department of Education for the opportunity to speak today. First, I would like to tell you about my daughter, Suzi. Suzi is a beautiful, artistic, and smart fourth grader. She loves to read Guinness World Record Books and build cities in her Minecraft Xbox game. Suzi loves to play soccer and swim in the ocean. And Suzi is a victim of seclusion and restraint by the ones she trusted the most. His Holiness, Pope Benedict, said it best when he said, "There were times the Lord was sleeping." Those times were unfortunately, the many times that Suzi and many children like her were secluded and restrained in the school environment. These are just a few examples of my daughter Suzi's story of seclusion and restraint.

Suzi's seclusion and restraint began in the second grade. On January 4, 2011, Suzi sat in the corner of the classroom with her back to the class, ordered by her teacher, for talking out of turn in the classroom. She then spent the afternoon in a locked office doing classwork.

In March of 2011, Suzi had knocked over her desk by accident. The teacher and principal thought she did it on purpose. Suzi reported to a therapist in the Summer of 2011 that the teacher became very upset that Suzi had knocked over her desk and called for the principal. Suzi also reported that the principal brought her camera. The principal decided to take her picture. Suzi reported that the teacher held her down while the principal took her picture lying on the floor. I would normally find that hard to believe but in a meeting between myself, the principal and the superintendent in April of 2011 regarding what was going on at school, the principal showed me those pictures. Of course, the Superintendent quickly told her to put them away and I never saw those pictures again. I do remember the horror of seeing my daughter lying in a fetal position on the floor amongst her books.

During the Spring of 2011, Suzi endured more seclusion and restraint and was locked in an office when the staff felt it was appropriate. Also in the Spring of 2011, the principal decided that Suzi would be secluded in the lunchroom as well. Suzi would have to sit by herself at a table and eat her lunch alone while her classmates ate lunch together. I did not know about the seclusion in the lunchroom until Suzi reported it to our State Representative Wes Retherford two weeks ago.

Things went from bad to worse the end of that school year. On one occasion, Suzi was dragged down the hallway by the principal and thrown into an office and locked into that office. I was asked to pick up Suzi that day. When I picked up Suzi, I found marks on her arm. I have enclosed copies of those pictures to illustrate the physical abuse she suffered that day. The Superintendent happened to be at the school that day. I showed

him the marks on her arm. He did nothing. He just ignored it. I went before the school district's school board and talked about the incidents Suzi had endured in the second grade. Two of the five members slept while I spoke. A third was heard later as saying that she thought, "I was just being silly."

In the Fall of 2011, we decided to enroll her in the other elementary school in the school district. The school year began good. We had a good relationship with the principal and the teacher. But when Suzi began to be a problem in the classroom. Suzi "asked too many questions, wanted too much attention and talked too much." A least restrictive environment was never attempted and the seclusion and restraint began again.

In October in 2011, at a parent teacher conference with the principal and the teacher. I informed them that Suzi had asked that "people stop putting their hands on her." By November of 2011, Suzi was spending about thirty minutes a day in the classroom. She then would be physically removed by the teacher or the principal and placed in their idea of a seclusion room. This seclusion room was nothing more than the supply room. It was poorly lit and Suzi would be forced to sit in the back corner of this room and do her schoolwork. By Mid-December 2011, Suzi wasn't hardly in the classroom at all. She was spending her days with the principal in his office or being put in the seclusion room by herself.

One day, Suzi decided that she had enough of the seclusion room. According to Suzi, the school counselor was too busy to speak to her. The principal then decided to place her in the seclusion room. The principal attempted to drag her into the seclusion room against her will. Suzi then broke from his hold and ran about twenty feet from the office and sat down in front of the Art room door. The principal then grabbed her arm again to take her to the seclusion room against her will. Suzi slapped his hand away. At that point the principal called the police and had Suzi arrested for unruly behavior. I was not contacted until the police were at the school. Suzi said at the time that they waited to call me because she had marks on her arm again and they waited so they would wear off. We went to Juvenile Court and it was dismissed by the school district but not before Suzi was traumatized by the police threatening to put handcuffs on her at school and having to go to Juvenile Court as a eight year old. Suzi started acting out at school, which I had warned the principal would happen when he had her arrested. In January 2012, the school district decided to give Suzi an IEP and transfer her to a charter school for children with severe behavioral problems. They informed my husband and I that if we did not sign the authorization for the charter school and IEP that Suzi would be expelled.

So Suzi went off to the charter school. She did not attend school regularly from January 2012-June 2012. She was a child who talked too much in class and wanted attention from her teacher and became upset when she was scolded by adults at school. She was now in a charter school for children with severe behavioral problems. During in meeting with a therapist in May of 2012, attended by both Suzi and I, Suzi said she did not like the charter school because it upset her to see her friends screaming in pain from being put in a standing hold. A standing hold is when a child is put between two adults and the two adults put their weight

against a child to restrain them. Being in the charter school was seclusion for Suzi. She was separated from her friends. She had no library, no art or music class. The things she loved the most about school. But she survived the third grade nonetheless. Last summer was a good summer for Suzi. We went on vacation. She built a fort in our trees in our yard imagining that she was in the Hunger Games. But the school district wanted nothing to hear about it at an IEP review meeting in August of 2012. They refused to remove her from the charter school. The Director of Special Services at this school district sent me an email that if I tried to remove her from the charter school that they would expel her and she would sit out the fourth grade.

Suzi began the fourth grade at the charter school. Starting within the first week of school, she was bullied by another student. The bullying continued for three and half months until I removed her from the school district. But the most concerning thing about those first three months of school was that Suzi would become upset when this student would call her names and threaten her. Instead of the staff addressing the bullying, they would threaten every day to put her in the restraint chair that they had in a seclusion room at the school. The school district wouldn't address the bullying either. Suzi had a hard time going to school. She would become physically ill and unable to go to school. In an IEP review meeting in October 2012 we were told by the school district to file unruly charges against Suzi. We were threatened that if we did not file unruly charges against Suzi that they would file truancy charges against me and my husband. "They were going to protect the school district." So in true form, the school district filed truancy charges against me and my husband. At that point it was obvious that no one cared about Suzi's best interests. That if anyone was going to save Suzi that it was going to be my husband and I. In December 20, 2012, we enrolled Suzi in the Ohio Virtual Academy.

I am happy to report that Suzi is now safe at home free of restraint or seclusion. She mostly stays in her room. She had difficulties leaving home and going to public places. When Suzi was a little girl, she would walk up and talk to total strangers. That little girl is gone forever. I may never know all the horrible things that happened to her at school. She doesn't talk about what happened to her anymore. I often wonder if she is remembering being alone in the corner of that supply room. Suzi thinks no one tried to protect her. It still keeps me up at night that I was never contacted by any school when it was decided to seclude or restrain her at school. My husband and I thank you for passing a policy to protect children from restraint and seclusion. The day that rule was passed was the first day I felt peace in over three years. In fact, I realized God had not been sleeping. He had heard every prayer I prayed to make seclusion and restraint stop in school. And now, I urge you to finish the job and pass a final rule that can be enforced as the rule of law.

Thank you for taking the time to listen to Suzi's story.