Kevin Rubenstein - Statement to ISBE Board on November 22, 2019

Good morning. My name is Kevin Rubenstein and I am the President of the Illinois Alliance of Administrators of Special Education. Our membership includes close to 1200 members from across the state of Illinois in public and private school districts, special education cooperatives, facilities, and institutions of higher education. Additionally, I serve as the Chairperson of the Policy and Legislative Committee for our national affiliate, the Council of Administrators of Special Education and had the privilege of revising our organizational policy on restraint and seclusion. As a result of that work, I have spoken on the topic of restraint and seclusion on National Public Radio and to hundreds of education journalists who cover the topic across the country. And so, as you can imagine, on Tuesday morning, when the story was published online, friends and colleagues from across the country reached out to ask me about the story. I have said the same thing to almost every single person who has asked:

"To the extent there is bad practice going on across the state, we need to fix that." The article highlighted horrifying practices taking place in our schools with some of our most vulnerable children. Every student who enters a school in the State of Illinois needs to be safe - physically, mentally, and emotionally. As the president of our organization, I can promise a partnership with the State Board of Education, members of the Illinois legislature, and all other interested advocacy organizations to ensure student safety in our schools. It must be our number one goal.

And as we reach toward that goal, we must do it in the following context:

- A two year budget crisis left Illinois schools and the social services safety net decimated. One impact of this crisis is that students often don't have basic mental or physical health services that were once available in the community. As a result, more families are relying on schools to provide mental and physical health services and supports.
- And it comes at a time when Illinois is facing a significant mental health crisis for students and adults. One symptom is that many schools have seen a significant increase in the number of children with mental health challenges entering schools. Even in the far northern suburbs of Chicago along Lake Michigan, I can personally report that we have seen a significant uptick of children as young as kindergarten coming to us with behavioral and emotional needs unlike we have seen in our careers.
- At the same time, we are working through a significant provider shortage. Our educator pipelines are nearly dry and many classrooms are not fully staffed on a regular basis. People are not choosing this as a profession and recent studies from the State Board of Education and other organizations demonstrate that the most understaffed classrooms are in the area of special education.

The journalists from Pro Publica who have spent the better part of the last year compiling thousands of documents and mounds of data prior to publishing this first story on seclusion did a fantastic job of highlighting the issue, but there is much more to this story and the new Emergency Rules that were put into place yesterday will help to illuminate other issues in our schools. In the weeks and months to come, we hear and read about issues of improper restraint. We will hear about school districts that did not report data to the federal government. We will learn about how many issues there are in private special education centers across the state. And we will hear story after story of children and families who are not being served. On November 22, 2019, before even one report has been sent to the State Superintendent of Schools, we know this to be the case. And so, as advocates for children, we must address these facts. Some of our schools have staff that are poorly trained. Other schools have staff that are not sure of how to support students with challenging behaviors. We must work together to make sure that all students and

families have the supportive and well trained adults, who use evidence-based practices that they need to thrive in our schools. Our organization is ready and willing to work with members of the legislature, members of this Board and the people it employs to ensure that this happens.

While I have an undergraduate degree in political science and a graduate degree in higher education, I found myself working in the field of special education because I enjoy working with students who are different than others - on the margins, if you will. The Individuals with Disabilities in Education Act (IDEA), the federal law which provides the procedural framework for special education is clear: all students, even those with significant behavioral and emotional challenges, have the right to an appropriate public education in the least restrictive environment. We must recommit ourselves to this because those children in the article - Isiah, Eli, Dalton, Jace, Zayvion, and Gabriel and every child in our state deserves better. We will work together to end practices that harm children. The IDEA is not merely the law of the land. It is also a principle of equity and fairness and justice for all children. And each day when we wake up, we must recommit ourselves to those principles of an appropriate education for all children so that restraint and seclusion practices are no longer a stain on the fibers of our school buildings nor on the fabric of our children's lives. Thank you.