

January 18, 2021

Dear Ladies and Gentlemen,

I'm writing and sharing our experiences regarding the support of HB1318, Restraint and Seclusion policies, as current policies had a direct impact on my son and his education.

For the sake of my son's privacy, I will refer to him as Z throughout this letter. Z is a ten year old boy with Autism. Currently, Z is homeschooled by myself after a number of failures that occurred while he attended Legacy Elementary in WFPS. Up until May 2019, my son had enjoyed a lovely special education teacher, who took extra care and support not only my son, but of other children during chance encounters.

In May of 2019, Z was experiencing difficulties within the secluded, classroom at Legacy. It was evident to myself and his teacher he was struggling. I visited with Z's therapist and Z was excused from the last couple weeks of school. At that time, I shared verbally with his teacher, the principal and dean of students within the principal's office that the use of Z's behavioral supports, token board, rewards, and specifically the use of taking away pieces of a puzzle to motivate him to redirect was having an adverse reaction and I had been told by Z's therapist that he needs positive supports without causing stress.

Fast forward, September 2019, Z had returned to school with a new special education teacher who had no degree in special education and had only been a fourth grade teacher for four years with typical children. Z started to show signs of stress at home and school. At school, Z was having meltdowns, throwing items throughout the room, and eloping from staff, to name a few things. I had taken a positive proactive step to request a FBA, functional behavioral analysis with Anne Carlson as Z's therapist is employed there and could assist the team. I was denied that request by special education coordinators and assistant special education director. I was not offered a choice, and therefore agreed for them to proceed. Z's "behaviors" non-functional communication was increased with protests, outbursts, eloping, throwing, etc.

I asked for another meeting after many emails discussing Z. At that meeting I was asked why Z's BIP, behavioral intervention plan, didn't have a safety plan. I listened and talked a bit, then left the meeting and started working on getting Z out of Legacy, as I knew the plan that was developing as I had a family member's child go through the same thing at Westside Elementary two years prior. So, I was trying to prevent Z from being handcuffed, charged with something and sent to Prairie Psych for the remainder of the school year being given medications that are inappropriate and a violation of a child's right to a free and appropriate education and the American's with Disabilities Act.

I moved rather fast, calling ND Protection & Advocacy's intake and having Z's therapist as well as his pediatrician. Mid-October 2019, things were unraveling quickly with no FBA completed but I was sent a new Behavioral Intervention Plan. A completed FBA determines the behavioral intervention plan! The email sent included his old Behavioral plan and the

addition of a safety plan that was the exact policy of WFPS seclusion and restraint policy.....NOT an individual plan developed for him.

The next day, I picked up Z at school. He hopped in the back seat, buckled up and said, "they put a mat over the door and I couldn't get out". I quickly parked and called my sister, and asked Z to repeat what he had just told me. I informed protection and advocacy, Z was given a week off per his therapist recommendation and I set out for war after that. My son wasn't going back to school, I wanted to homeschool, as he has private occupational therapy, speech, and physical therapy.

I started homeschooling Z, as Protection and Advocacy of ND stepped in helping achieve what was in Z's best interest. In addition an investigation was being performed as well. The conclusion of the investigation is that Z had suffered abuse and neglect.

In the end, Protection and Advocacy was helpful in advocating for Z and we left Legacy official in January 2020. Then and currently, ND Century Code was that Z had to be schooled in a school because he has a disability. WFPS Special Education had two requirements from his IEP, individual education plan, that they wanted to have:

1. Speech 60 minutes per week
2. Social skills equaling two and a half hours per week.

We took the deal, and in doing so Z lost free and appropriate education protections as well as IDEA protections.

During that fall of 2019, I spoke with a ND state legislator, whom I've sought information from previously, and he provided me a few names of ND legislators who I did email and I see their names are on this HB. I had no contact back from my district legislators or any of the other two I sent.

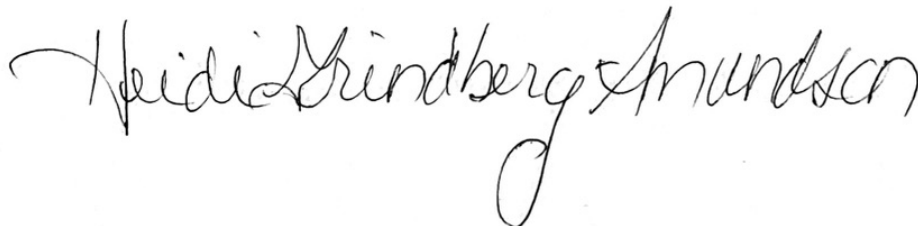
That same state legislator has shared with me that he has in past been asked by Autism parents what to do when anything in the school system isn't working:

"Move to Minnesota", is what he tells them. Although that would require a great deal of work, if it's the cost of my son having homeschooling or legislation that's flexible and meets his needs, we'll do it!

Please consider this progressive step towards approving this bill and standing up for the children that need it the most.

Sincerely,

Heidi Grindberg Amundson

A handwritten signature in black ink that reads "Heidi Grindberg Amundson". The signature is written in a cursive, flowing style with a large, prominent 'H' and 'A'.