

# Moving the Bar Isn't Easy

---

But It's Worth the Effort

Representative Theresa Wood, Chair

Human Services Committee, Vermont House of Representatives





- 
- Former State Director of Developmental Disability Services and Deputy Commissioner of Department of Disabilities, Aging and Independent Living
  - Member of Vermont House of Representatives for 8 years; currently Chair of Human Services Committee and member of Joint Fiscal Committee; Joint Legislative Justice Oversight Committee



- 
- 1<sup>st</sup> effort to ban seclusion and restraint in schools occurred over 20 years ago
  - Led by community providers and advocates from the disability services world
  - It failed
  - H.409 introduced in 2023 session; tripartisan support [Vermont H.409](#)
  - Initial hearings and testimony, but appears stalled





- 
- Is a law needed if there are rules? Vermont AOE Rule 4500 YES!
  - One PreK – 4<sup>th</sup> grade school, 400 students
    - 2017-2018 281 restraints
    - 2021-2022 129 restraints (30 seclusions)
    - 2022-2023 38 restraints (0 seclusions)
  - Leadership is important, but we can't rely on people in a job; training and focus make a difference; we pay attention to things we count



- 
- State rules lack enforcement and oversight
  - School boards adopt different policies
  - Reporting is sketchy; under reporting is common
    - Different interpretation of the rules; failure to notify parents
  - “...it is imperative that the Vermont legislature pass the law taking the burden off of local school boards ...” *Kelley Hackett, Vice-Chair Harwood Union Unified School District*





- 
- H.409 proposes to prohibit the use of seclusion and certain physical restraints in an entity that owns, operates or controls a school or educational program that receives public funds from the State
  - Sets specific notification requirements for parents/guardians
  - Requires AOE to develop and implement a performance review system to monitor use
  - Requires AOE to provide technical assistance and training



- 
- In the absence of federal law, states are taking the lead [Summary of state bills](#)
  - We need to look beyond schools to the child welfare systems as well
  - What people call “behavior” is a method of communication for individuals who, for whatever reason, don’t have the skills or ability to communicate in a more “typical” or “acceptable” ways





- 
- Trauma lasts a lifetime
  - “Grammie, they tell me to be nice to the other kids, but they’re not nice to me?”
  - “I don’t like going by that building, they put me in a room like a jail.”
  - A student writes about their experience [Isolated in Vermont: Trauma lasts a lifetime - \(endseclusion.org\)](#)
  - We can change, we must change





Theresa Wood, Chair

House Human Services Committee

[twood@leg.state.vt.us](mailto:twood@leg.state.vt.us)