

March 18, 2022

Re: HF 3402

To: Members of the House Education Policy Committee



Dear Chair Richardson and Committee Members,

Founded by parents of children with intellectual and developmental disabilities (IDD) in 1946, The Arc Minnesota is a statewide nonprofit advocacy organization that promotes and protects the human rights of individuals with IDD, supporting them and their families in a lifetime of full inclusion and participation in their communities. We are a chapter of The Arc of the United States, the largest national community-based organization advocating for people with IDD and their families.

The Arc Minnesota strongly supports HF 3402 which aims to reduce the use of withholding lunch or recess as a form of discipline in schools across the state. Data shows that students with disabilities, as well as those who identify as Black, Indigenous, and other People of Color, are disproportionately impacted by disciplinary practices. Exclusionary practices and punishment in schools leads to long-term harm. This continues the cycle of trauma many students with disabilities experience – especially BIPOC students. Our current framework needs to shift from a focus on punishment, to supporting students in individualized ways. The emphasis should be on helping students build tools to deal with overwhelming emotions before they occur, rather than punishing them after they have lost control.

HF 3402 would limit lunch and recess detention for students with individualized education programs (IEPs), require parent notification and data reporting when lunch and recess detention occurs. This proposal emphasizes the importance of understanding that when student behavior does not meet adult expectations, it is often due to a student's need for skills to respond to a situation appropriately. Therefore, reacting by taking away the student's opportunity to build skills for responding more appropriately is counterproductive.

One of the principles of the disability justice movement is interdependence. Interdependence is a word to explain that everyone needs support sometimes. We must work together to meet each other's needs. We must create a community that supports one another. This applies to our school systems and how we must create a supportive environment by adopting inclusive, restorative practices that build on students' strengths with the goal of supporting their individualized success and fostering belonging in community.

The Arc Minnesota encourages the committee to pass HF 3402 so that we can ensure students with disabilities and BIPOC students are set up for success in our schools across the state.

Thank you for the opportunity to provide input on this important bill.

Sincerely,

Julia Burkstaller
Public Policy Director