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Whiting
LD 2172

Senator Rafferty, Representative Murphy, and members of the Committee,
Thank you for the opportunity to submit testimony on LD 2172.

I want to be clear at the outset. I understand why this bill is before you. I recognize that LD 2172 is intended to bring Chapter 33 rules into alignment with statutory changes made last session under LD 1248. I also understand the need for clarity for educators and staff who are responsible for maintaining safety in increasingly complex classroom environments.

That said, I urge the Committee to slow down and look at this bill through a wider lens, particularly as it relates to very young children and students with disabilities.

My concern is not theoretical. It is grounded in practice.

We are simultaneously moving forward with LD 345, which shifts early childhood special education responsibilities in ways that will place more young children into school settings that were not designed, staffed, or trained for that population. Many of these classrooms will include children with significant sensory, communication, and behavioral needs. In those environments, language around physical escort, restraint, and serious physical injury carries very real consequences.

While the testimony before you emphasizes staff protection and clarity, there has been little discussion about safeguards for our youngest and most vulnerable students. Small children are easily redirected, but they are also easily mishandled. Definitions matter, especially when applied by staff who may not have specialized training in early childhood development or special education.

I am not suggesting that schools should be stripped of the ability to intervene when safety is at risk. I am suggesting that as we approve rule changes, we must ensure that implementation includes clear limits, appropriate training expectations, and meaningful oversight. Otherwise, we risk creating a system that relies too heavily on physical intervention because it is administratively easier than building the supports children actually need.

If this Legislature is going to continue shifting responsibilities from state systems to local schools, then it also has an obligation to ensure that rules governing physical intervention are not expanded quietly, without sufficient attention to how they will be applied on the ground, especially in rural districts with limited staffing and resources.

I respectfully ask the Committee to consider how LD 2172 intersects with other policies already moving through this body, and whether additional guidance or guardrails are needed before final adoption.

Thank you for your time and consideration.