

Testimony of Toni Price,  
Mother of Cedric Napoleon  
House Education and Labor Committee Hearing  
Examining the Abusive and Deadly Use of Seclusion and Restraint in Schools  
May 19, 2009

Thank you, Chairman Miller and the Committee, for holding this hearing today and inviting me to share my story with you.

My name is Toni Price. I am a foster mother, and Cedric was my foster son.

By the time Cedric came to my home at the age of 12, he'd been through a lot in his short life. His parents neglected him and his siblings and abused them both physically and emotionally. They were underfed and food was withheld from them. Cedric, the oldest, used to go rummaging for food for himself and his siblings. He'd scavenge through trash cans. Cedric began stealing food, and was caught stealing from a grocery store. Never knowing when he'd have his next meal, food was something Cedric became very sensitive about.

At 9 years old, his parents lost parental rights to Cedric and his siblings. His aunt and grandmother had also lost their rights to guardianship. Cedric went to many foster homes but struggled. After a number of unsuccessful placements, Cedric was sent to a "boot camp" facility north of Killeen. Unfortunately, at this boot camp, he experienced more abuse. He had a prominent scar on his face from being beaten with a shovel by a boot camp supervisor. It was after that facility that he came to live with my family and me at the age of 12.

Despite his experiences, Cedric came to me with a smile. He was very jovial, and truly loved to smile. He liked to bike, go bowling, and feed the ducks in a pond near our house. When he had extra energy, he loved to run to the end of our driveway and back. He got along well with the other children in the house, particularly my son, because he'd always wanted a big brother. They played a lot of basketball together. I remember at church Cedric wanted to be in a play, but there were no parts for him. He got this big smile on his face and said: "I know a part!" and went and stood on the stage. The director said "okay, you can be an angel." I knew he was sensitive about food, so I said he could have anything in the kitchen, he just had to tell me.

Cedric had behavioral problems, but they were never physical and he was never aggressive. We were able to find solutions to his misbehaving that worked. Once he stole a bag of chips from the kitchen. I made him pay me back. It was a consequence that worked. He didn't like parting with his allowance, and learned his lesson about stealing. But it was a consequence that didn't bring any of his previous abuse up to the surface. His therapist asked him once to describe a safe place. His answer was in a cave with solid rock walls, a steel door, and lots of food. Even though he was well fed at my home, food was a trigger for Cedric from the trauma of his childhood.

Cedric enrolled in a public middle school. He was placed in a class for students with behavioral problems. His first year in the school, in seventh grade, he had no problems. I didn't get phone calls, and he did well in school.

His eighth grade year, with a different teacher, he had a number of problems. He did not get along with the teacher, and would always say to me "I don't think this teacher likes me." I'd reassure him that she did. I got frequent calls from his teacher that year about verbal aggression, though I never got calls about physical aggression. I would ask the teacher to put Cedric on the phone and say: "Cedric, you know you have to do your work." He'd say: "yes ma'am." Sometimes Cedric would get in trouble at school for stealing food. But what I learned later was that in his classroom he was being withheld food as punishment for acting out.

The morning of his death, Cedric was put on what the teacher called a "delayed lunch" because he stopped working around 11am. This was, apparently, a common punishment for him. At 1pm Cedric got in more trouble when, still not having lunch, he was caught trying to steal candy. After 2:30, he still hadn't been allowed to eat his lunch, and got up to leave the classroom. After Cedric attempted to leave the classroom, he refused to sit back down in his chair so his teacher forced him into his chair and restrained him. She is roughly six feet tall and weighs over two hundred thirty pounds. Cedric was short- he was a little boy.

Cedric struggled as he was being held in his chair, so the teacher put him in a face down, or in a prone restraint, and sat on him. He struggled and said repeatedly: "I can't breathe." "If you can speak, you can breathe," she snapped at him. Shortly after that, he stopped speaking and he stopped struggling. He stopped moving at all. The teacher continued to restrain him. Finally the teacher and aide put Cedric back in his chair. The aide wiped drool off his mouth and they sat him up. But he slumped over and slipped out of his chair. Precious minutes passed by before a nurse was called.

I received a call at work that Cedric was not breathing and that an ambulance had been called. I rushed up to the school, not completely clear what was going on or what had happened. When I got to the school, my son was lying on the floor with a paramedic beside him. I knelt down and said: "Cedric, get up. You're not going to be in any trouble." But Cedric didn't move, and instead, the paramedic stood me up. My son was dead.

I didn't know the school was practicing restraint techniques on Cedric. I didn't know they were withholding food as a form of punishment. In fact, when I initially enrolled him at the school, I told administrators he'd been withheld food as a child and it was traumatic. When this teacher was having trouble with Cedric, I told her about my techniques with handling him at home. I tried to help her because Cedric was not a bad kid. He had come so far, and had such success in the seventh grade. I knew that he could be successful in the eighth.

The school never held meetings with me to address any behavioral problems. Aside from calls from his teacher, I didn't know the extent to which Cedric was getting in trouble and what they were doing to him. After his death, nobody from the school came for calling hours. The superintendent and the principal of the school wrote a letter of condolence. Nobody offered any help because I was just a foster mother. Days later, the teacher called, and my husband answered

the phone. But instead of a heartfelt apology, she explained that she was just doing her job. She showed no sympathy, no compassion, no guilt.

This teacher took a child's life. But she also caused a lot of damage to his classmates, many of who were victims of trauma already. Those kids who witnessed it already had behavioral problems. His classmates and their parents were forbidden to talk to me. But for many of the children, witnessing the abuse of Cedric was so traumatic for them that they spoke, and in turn, their parents spoke to me.

After I read the autopsy report, I was taken aback at how much a school can get away with. Cedric's death was ruled a homicide. The school policy allows for "therapeutic floor holds" when a child is endangering himself or others. Here Cedric was not endangering himself or others. This floor hold should not have been done.

The teacher's previous treatment was reviewed and no problems were found with her conduct. No legal action was taken against this teacher, and as a foster mother, I didn't have the right to press charges.

Eventually a judge found this teacher's actions to be reckless, and Cedric's death not an accident. But she never received a criminal record or any kind of sentence. She was placed on a Texas registry for being abusive to children. But that registry only applies to Texas, and I have been told that this teacher now teaches at a public high school in Northern Virginia. Her Virginia teaching license shows her credentials to be K-12 special education. If that teacher was just doing her job, then something is very wrong with the system.

If I'd treated Cedric that way at home, I'd be in jail.

I want to make sure this doesn't happen to anyone else's child. It is awful the way Cedric died. He was a good kid. This should have never happened. The morning Cedric died, as he was boarding the bus, he turned around and got a beaming smile on his face, and said to me "you know I love you, ma."

He was a good kid.