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The Honorable John Kline
Chairman
Education & the Workforce Committee
U.S. House of Representatives
Washington, DC 20515

The Honorable George Miller
Ranking Member
Education & the Workforce Committee
U.S. House of Representatives
Washington, DC 20515

**Re: Over 180 National, State, and Local Organizations Ask Congress to
Protect Schoolchildren from Dangerous Restraint & Seclusion
And Pass the Keeping All Students Safe Act**

Dear Representatives Kline and Miller,

We, the undersigned, believe it is time for a national policy addressing restraint and seclusion in our schools for all children. In 2009, a Government Accountability Office study found that children were injured, traumatized, and even killed through restraint and seclusion in schools. The GAO documented 20 deaths of school children. In March 2012, the Civil Rights Data Collection showed that nearly 40,000 students were physically restrained during the 2009-10 school year. The data also showed that restraint and seclusion are disproportionately used upon students with disabilities and minority students.

But few states restrict restraint and seclusion of all children to emergencies threatening physical danger to a person. Only 17 states prohibit the use of restraint of all children in non-emergencies; only 9 states protect all students from non-emergency seclusion. It is important that restraint and seclusion be limited to these emergencies. While federal law protects children and adults from the use of restraints and seclusion in hospitals, no similar federal laws protect children in schools. We strongly support the Keeping All Students Safe Act. We thank Congressman Miller for his leadership on restraint and seclusion. We ask Congress to pass the bill and create minimum restraint/seclusion standards in schools that will protect all children.

The Keeping All Students Safe Act will promote a shift toward preventing problematic behavior through the use of de-escalation techniques, conflict management and evidence-based positive behavioral interventions and supports. This shift will help school personnel understand the needs of their students and safely address the source of challenging behaviors – a better result for everyone in the classroom. In many cases, the use of positive supports and interventions greatly diminishes and even eliminates the need to use restraint and seclusion. For example, the Centennial School in Pennsylvania, which serves children in 35 school districts, has cut the use of restraint and seclusion

from well over 1,000 occurrences per year to less than ten through the use of positive supports. Reports and studies have also shown that students and staff are safer when positive interventions and supports, rather than restraint and seclusion, are used in schools. Worker's Compensation costs even decrease significantly.

The Keeping All Students Safe Act will protect all children in school. It will ensure that restraints are used only in emergencies posing an imminent threat of physical danger. If less restrictive and dangerous measures like de-escalation, conflict management, and positive behavioral supports will prevent the threat, the bill will require that they be used. The bill will provide similar protections from seclusion. The bill will require that schools take steps to notify parents within 24 hours, and follow up in writing. Today, 33 states lack laws requiring that parents of all children be informed when their child is subjected to these procedures. Prompt notification is important so parents can seek needed medical attention. The bill will ban the use of restraints that impede breathing or harm children or staff. Only 18 states ban restraints that impair breathing for all children. The bill will ensure that staff are properly trained in evidence-based methods to minimize the use of restraint and seclusion and to protect children and staff. Finally, the bills will require collection of data to better inform decision-making and provide needed sunshine.

We ask Congress to pass the Keeping All Students Safe Act and make our schools safer for students and staff. America needs more than the current patchwork of state laws to ensure that every child is safe and in a positive environment.

For more information about this letter, please contact Jessica Butler, Congressional Affairs Coordinator, Autism National Committee, jessica@jnba.net (www.autcom.org), 202-656-9166.

Signed By Over 180 National, State, and Local Organizations

49 National Organizations

Advocacy Institute

American Academy of Child and Adolescent Psychiatry

American Association on Health and Disability

American Psychiatric Association

American Psychiatric Nurses Association

Association on Higher Education And Disability (AHEAD)

Autism National Committee (AutCom)

Autism Society of America (ASA)

Autistic Self Advocacy Network

Bazelon Center for Mental Health Law

Boat People SOS, Inc.

Center for Law and Education

Conference of Educational Administrators of Schools and Programs for the Deaf

Council of Parent Attorneys and Advocates, Inc.

Disability Rights Education & Defense Fund

Disability Rights Legal Center

Exceptional Parent

Families Against Restraint and Seclusion

Family Network on Disabilities

Gay Lesbian & Straight Education Network (GLSEN)

Higher Education Consortium for Special Education

Mental Health America

National Association of Councils on Developmental Disabilities

National Association of County Behavioral Health and Developmental Disability Disorders

National Autism Association

National Alliance on Mental Illness

National Disability Rights Network

National Down Syndrome Congress

National Empowerment Center

National Federation of Families for Children's Mental Health

National Fragile X Foundation

National Council on Independent Living (NCIL)

National Organization for Women Foundation

National Organization of Nurses with Disabilities (NOND)

OurChildrenLeftBehind.Com

Pacer Center

Parents and Teachers Against Violence in Education, Inc.

Gray Panthers

Pediatric Stroke Network, Inc.
 Prader-Willi Syndrome Association (USA)
 Self-Advocates Becoming Empowered (SABE)
 Southern Poverty Law Center
 Specialized Training Of Military Parents (STOMP)
 Teacher Education Division of the Council on Exceptional Children
 The Arc of the United States
 United Cerebral Palsy
 TASH
 William Kellibrew Foundation
 Wrightslaw

<u>132 State Organizations</u>	<u>State</u>
California Association for Parent-Child Advocacy (CAPCA)	CA
Disability Rights California	CA
Educate. Advocate.	CA
Families For Early Autism Treatment	CA
Independent Living Resource Center, Inc.	CA
AdvocacyDenver	CO
Arc Thriftstores of Colorado	CO
Colorado Cross Disability Coalition	CO
Community Link	CO
CP of Colorado	CO
Easter Seals of Colorado	CO
Family Voices Colorado	CO
Mental Health America of Colorado	CO
Rocky Mountain Down Syndrome Association	CO
The Arc – Jefferson, Clear Creek & Gilpin Counties	CO
The Arc of Aurora (CO)	CO

The Arc of Colorado	CO
The Arc of the Pikes Peak Region	CO
Autism Spectrum Differences Institute of New England, Inc	CT
Advocates for Justice and Education	DC
disAbility Solutions for Independent Living	FL
Legal Aid Society of Palm Beach County	FL
Reveresco ABA Therapy	FL
Southern Legal Counsel, Inc.	FL
Apraxia in Metro Atlanta	GA
Autism Society Georgia Chapter	GA
Georgia Families Against Restraint and Seclusion	GA
Gwinnett SToPP	GA
Living Independence for Everyone (LIFE), Inc.	GA
Parent to Parent of Georgia	GA
The Arc of Georgia	GA
Hawai'i Parents Special Education Advisory Council (HIP-SEAC)	HI
Disability Rights Iowa	IA
Iowa School Social Work Association	IA
Tri State Down Syndrome Network	IA
Illinois Children's Mental Health Partnership	IL
Illinois School Counselor Association	IL
LIFE Center for Independent Living	IL
Mental Health America of Illinois	IL
Mental Health Summit of Illinois	IL
Mothers on a Mission, Inc.	IL
Special Kids, Special Families	IL
The Arc of Indiana	IN
Disability Rights Center of Kansas	KS

Kentucky Protection & Advocacy	KY
The Arc of Kentucky	KY
Disability Law Center (of Massachusetts)	MA
Lichtenstein Creative Media, Inc.	MA
Mental Health Legal Advisors Committee Massachusetts	MA
The Arc of Massachusetts	MA
LDA of St. Mary's County	MD
Maryland Coalition for Inclusive Education	MD
Disability Rights Center Maine	ME
Maine Developmental Disabilities Council	ME
Maine Parent Federation, Inc.	ME
Michigan Alliance for Special Education	MI
Michigan Association of Community Mental Health Boards	MI
Michigan Developmental Disabilities Council	MI
Michigan Disability Rights Coalition	MI
The Arc Michigan	MI
The Arc of Northwest Wayne County	MI
The Respect ABILITY Law Center	MI
Autism Society of Minnesota	MN
Minnesota Disability Law Center of Mid-Minnesota Legal Aid (Minnesota Protection & Advocacy Center)	MN
Minnesota Governor's Council on Developmental Disabilities	MN
Minnesota State Council on Disability	MN
The Arc Minnesota	MN
Missouri Developmental Disabilities Council	MO
Disability Rights Mississippi	MS
Just Advocacy of Mississippi	MS
Mississippi Center for Justice	MS
Mississippi Families as Allies	MS

Mississippi Psychiatric Association	MS
Parents United Together	MS
The Arc of Mississippi	MS
ADAPT Montana	MT
Parents, Let's Unite for Kids - PLUK	MT
Council for Children's Rights	NC
Disability Rights North Carolina	NC
Monarch/The Arc of Stanly County	NC
Tammy Lynn Center for Developmental Disabilities	NC
The Arc of Davidson County, North Carolina	NC
Autism Family Services of New Jersey	NJ
Disability Rights New Jersey	NJ
Education Law Center	NJ
Epilepsy Foundation of New Jersey	NJ
Family Voices New Jersey	NJ
Learning Disabilities Association of New Jersey	NJ
New Jersey Association of Mental Health and Addiction Agencies, Inc.	NJ
New Jersey Coalition for Inclusive Education, Inc.	NJ
New Jersey PTA	NJ
New Jersey Special Education Practitioners	NJ
NJ Association of School Psychologists (NJASP)	NJ
Special Education Leadership Council of NJ	NJ
Statewide Parent Advocacy Network	NJ
The Arc of New Jersey	NJ
Total Living Center, Inc.	NJ
Advocacy for Children with dis-Abilities	NM
Pegasus Legal Services for Children	NM

The Center for Self Determination	NV
Everyone Reading, Inc.	NY
Independent Living Center of the Hudson Valley Inc. (ILCHV)	NY
Independent Living Inc.	NY
Jonathan Carey Foundation	NY
New York State Independent Living Council	NY
NYSARC	NY
Southern Tier ADAPT	NY
Southern Tier Independence Center	NY
The Arc of Ohio	OH
The Arc of Pennsylvania	PA
Rhode Island Parent Information Network	RI
Protection and Advocacy for People with Disabilities - South Carolina	SC
The Arc of South Carolina	SC
The Arc of Pickens County, SC	SC
The Arc of Davidson County, Tennessee	TN
The Arc Tennessee	TN
DFW Interfaith Coffee House	TX
Texas Network of Youth Services	TX
Special Needs Resource Project	UT
Autism Society of Northern Virginia	VA
Autism Society of Central Virginia	VA
disAbility Resource Center	VA
Endependence Center, Inc.	VA
Medical Home Plus, Inc.	VA
The Arc of Central Virginia	VA
The Arc of Virginia	VA
Virginia Association of Centers for Independent Living	VA

Autism Society of Washington	WA
PAVE – Partnerships for Action, Voices for Empowerment	WA
Washington State Developmental Disabilities Council	WA
Wisconsin Family Assistance Center for Education, Training and Support, Inc. (WI FACETS)	WI
Parents Helping Parents of WY, Inc	WY