



July 14, 2012

The Honorable Tom Harkin
Chairman
Health, Education, Labor & Pensions Committee
United States Senate
Washington, DC 20510

The Honorable Michael Enzi
Ranking Member
Health, Education, Labor & Pensions Committee
United States Senate
Washington, DC 20510

Re: Over 150 National, State, and Local Organizations Ask Congress to Pass the Keeping All Students Safe Act (S.2020/H.R. 1381)

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 children have been injured, traumatized, and even killed through restraint and seclusion in schools. In March 2012, data released by the Department of Education showed that nearly 40,000 students were physically restrained during the 2009-10 school year; 70% of whom were students with disabilities. The data also showed that these practices are disproportionately used upon minority students.

There have been numerous news reports of students harmed by restraints and seclusion. Less than 1/3 of states restrict restraint and seclusion use to emergencies involving an imminent risk of physical harm. It is important that use of 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 exist to protect children in schools. We urge Congress to pass the Keeping All Students Safe Act bills (S.2020 and H.R. 1381), 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.

S. 2020 and H.R. 1381 will protect all children in school. They 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 bills will require that they be used. The bills will provide similar protections from seclusion. They will require prompt parental notification. They will ban the use of restraints that impede breathing or harm children or staff. The bills 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.

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 afforded protection.

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

Signed,

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
Autism Society of America
Bazelon Center for Mental Health Law
Boat People SOS, Inc.
Center for Law and Education
Cherab Foundation
Conference of Educational Administrators of Schools and Programs for the Deaf
Council of Parent Attorneys and Advocates, Inc. (COPAA)
CPS Initiative
Depression and Bipolar Support Alliance (DBSA)
Disability Rights Education & Defense Fund (DREDF)
Disability Rights Legal Center
Families Against Restraint and Seclusion
Gay Lesbian & Straight Education Network (GLSEN)
Gray Panthers
Higher Education Consortium on Special Education
Learning Disabilities Association of America
Mental Health America
National Association for Children's Behavioral Health
National Association of Rural Mental Health

National Association of State Mental Health Program Directors
 National Autism Association
 National Disability Rights Network
 National Down Syndrome Congress
 National Federation of Families for Children's Mental Health
 National Fragile X Foundation
 National Organization for Women Foundation
 National Organization of Nurses with Disabilities (NOND)
 OurChildrenLeftBehind.Com
 Parents and Teachers Against Violence in Education, Inc.
 Pediatric Stroke Network, Inc.
 Prader-Willi Syndrome Association (USA)
 Self-Advocates Becoming Empowered (SABE)
 Southern Poverty Law Center
 Speech & Language Disorders in Children
 Teacher Education Division of the Council on Exceptional Children
 The Arc of the United States
 The National Alliance on Mental Illness
 The National Council on Independent Living (NCIL)
 InterNational Council on Infertility Information Dissemination Inc. (INCIID Inc.)
 Tourette Syndrome Association, Inc.
 Family Network on Disabilities

State Organizations by State

| | |
|--|----|
| Down Syndrome Society of Mobile County | AL |
| Area Board XIII | CA |
| California Safe Schools | CA |
| CAPCA (California Association for Parent-Child Advocacy) | CA |
| Educate. Advocate. | CA |
| Families For Early Autism Treatment | CA |
| Hope PTA | CA |
| Independent Living Resource Center, Inc. | CA |
| Learning Rights Law Center | CA |
| Parents Advocating Together | CA |
| West Los Angeles Trauma and Crime Victim Center | CA |
| Colorado Cross Disability Coalition | CO |
| Community Link | CO |
| Mental Health America of Colorado | CO |
| The Arc of the Pikes Peak Region | CO |
| Advocates for Justice and Education | DC |
| disAbility Solutions for Independent Living | FL |
| Reveresco ABA Therapy | 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 |

| | |
|---|----|
| Parent to Parent of Georgia | GA |
| Hawai'i Parents Special Education Advisory Council (HIP-SEAC) | HI |
| The Arc of Iowa | IA |
| Tri State Down Syndrome Network | IA |
| Access Living | IL |
| Illinois Children's Mental Health Partnership | IL |
| LIFE Center for Independent Living | IL |
| McHenry County Mental Health Board | IL |
| Mental Health Summit of Illinois | IL |
| Mothers on a Mission, Inc. | IL |
| Northwestern IL Center for Independent Living | 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 |
| Independent Living Center of the North Shore & Cape Ann, Inc. | MA |
| Northeast Independent Living Program Inc | MA |
| Stavros Center for Independent Living, Inc. | MA |
| LDA of St. Mary's County | MD |
| Maryland Coalition for Inclusive Education | MD |
| BenzieAdvocacy Rights Council | MI |
| Michigan Alliance for Special Education | MI |
| Michigan Association of Community Mental Health Boards | MI |
| Michigan Developmental Disabilities Council | MI |
| Michigan Disability Rights Coalition | MI |
| Michigan Protection and Advocacy Services Inc. | MI |
| Oakland County Community Mental Health Authority | MI |
| The Arc Michigan | MI |
| The Respect ABILITY Law Center | MI |
| Woodlands Behavioral Healthcare Network | MI |
| Minnesota Governor's Council on Developmental Disabilities | MN |
| Coastal Women for Change | MS |
| Disability Rights Mississippi | MS |
| Just Advocacy of Mississippi | MS |
| Mississippi Coalition for Citizens with Disabilities | MS |
| Mississippi Human Service Agenda | MS |
| Nollie Jenkins Family Center, Inc. | MS |
| Parents United Together | MS |
| ADAPT Montana | MT |
| Parents, Let's Unite for Kids - PLUK | MT |
| Council for Children's Rights | NC |
| Disability Rights North Carolina | NC |
| Gaston Residential Services, Inc. | NC |
| Monarch/The Arc of Stanly County | NC |
| Piedmont Down Syndrome Support Network | NC |
| Tammy Lynn Center for Developmental Disabilities | NC |
| The Arc of North Carolina | NC |

| | |
|---|----|
| North Carolina School Social Work Association | NC |
| ADAPT Nebraska | NE |
| Disability Rights New Jersey | NJ |
| Education Law Center | NJ |
| The Arc of New Jersey | NJ |
| The Special Education Leadership Council of NJ | NJ |
| Statewide Parent Advocacy Network | NJ |
| New Jersey Association of Mental Health and Addiction Agencies, Inc. | NJ |
| New Jersey Coalition for Inclusive Education, Inc. | NJ |
| Regional Family Support Planning Council # 9 (Atlantic Co.) | NJ |
| Millburn-Short Hills (NJ) Parent Education Committee-MSPEC | NJ |
| Advocacy for Children with dis-Abilities | NM |
| Pegasus Legal Services for Children | NM |
| The Center for Self Determination | NV |
| Center for Disability Rights | NY |
| Everyone Reading, Inc. | NY |
| Independent Living Center of the Hudson Valley Inc. (ILCHV) | NY |
| Independent Living Inc. | NY |
| New York Association on Independent Living | NY |
| Regional Center for Independent Living | NY |
| Social Justice Committee, Ithaca Meeting of the Religious Society of Friends | NY |
| Southern Tier ADAPT | NY |
| Southern Tier Independence Center | NY |
| Westchester Independent Living Center | NY |
| The Arc of Ohio | OH |
| The Lorain County Board of Mental Health | OH |
| Association of Oregon Community Mental Health Programs | OR |
| Liberty Resources Inc (Independent Living Center) | PA |
| The Arc of Pennsylvania | PA |
| Public Interest Law Center of Philadelphia | PA |
| The Arc Anderson County | TN |
| The Arc Tennessee | TN |
| DFW Interfaith Coffee House | TX |
| Family Advocacy and Consultation services, Inc | UT |
| Special Needs Resource Project | UT |
| Utah Advocacy Partnership | UT |
| Blue Ridge Independent Living Center, Inc. | VA |
| disAbility Resource Center | VA |
| Endeppence Center, Inc. | VA |
| Kids With Disabilities Included and Why Not? | VA |
| Disability Rights Vermont, Inc. (Vermont's P&A) | VT |
| Green Mountain Self-Advocates | VT |
| Vermont Center for Independent Living | VT |
| PAVE - Partnerships for Action, Voices for Empowerment | WA |
| Specialized Training Of Military Parents (STOMP) | WA |
| The Arc of Washington State | WA |
| The Arc of King County | WA |

| | |
|---|----|
| Washington Initiative for Supported Employment | WA |
| Disability Rights Wisconsin | WI |
| North Shore People Network | WI |
| Wisconsin Family Assistance Center for Education, Training and Support, Inc. (WI FACETS) | WI |
| The Arc of West Virginia | WV |
| The Arc of the Mid Ohio Valley | WV |
| Parents Helping Parents of WY, Inc | WY |



July 14, 2012

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 150 National, State, and Local Organizations Ask Congress to Pass the Keeping All Students Safe Act (H.R. 1381/S.2020)

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 children have been injured, traumatized, and even killed through restraint and seclusion in schools. In March 2012, data released by the Department of Education showed that nearly 40,000 students were physically restrained during the 2009-10 school year; 70% of whom were students with disabilities. The data also showed that these practices are disproportionately used upon minority students.

There have been numerous news reports of students harmed by restraints and seclusion. Less than 1/3 of states restrict restraint and seclusion use to emergencies involving an imminent risk of physical harm. It is important that use of 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 exist to protect children in schools. We urge Congress to pass the Keeping All Students Safe Act bills (S.2020 and H.R. 1381), 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.

S. 2020 and H.R. 1381 will protect all children in school. They 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 bills will require that they be used. The bills will provide similar protections from seclusion. They will require prompt parental notification. They will ban the use of restraints that impede breathing or harm children or staff. The bills 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.

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 afforded protection.

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

Signed,

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
Autism Society of America
Bazelon Center for Mental Health Law
Boat People SOS, Inc.
Center for Law and Education
Cherab Foundation
Conference of Educational Administrators of Schools and Programs for the Deaf
Council of Parent Attorneys and Advocates, Inc. (COPAA)
CPS Initiative
Depression and Bipolar Support Alliance (DBSA)
Disability Rights Education & Defense Fund (DREDF)
Disability Rights Legal Center
Families Against Restraint and Seclusion
Gay Lesbian & Straight Education Network (GLSEN)
Gray Panthers
Higher Education Consortium on Special Education
Learning Disabilities Association of America
Mental Health America

National Association for Children's Behavioral Health
 National Association of Rural Mental Health
 National Association of State Mental Health Program Directors
 National Autism Association
 National Disability Rights Network
 National Down Syndrome Congress
 National Federation of Families for Children's Mental Health
 National Fragile X Foundation
 National Organization for Women Foundation
 National Organization of Nurses with Disabilities (NOND)
 OurChildrenLeftBehind.Com
 Parents and Teachers Against Violence in Education, Inc.
 Pediatric Stroke Network, Inc.
 Prader-Willi Syndrome Association (USA)
 Self-Advocates Becoming Empowered (SABE)
 Southern Poverty Law Center
 Speech & Language Disorders in Children
 Teacher Education Division of the Council on Exceptional Children
 The Arc of the United States
 The National Alliance on Mental Illness
 The National Council on Independent Living (NCIL)
 InterNational Council on Infertility Information Dissemination Inc. (INCIID Inc.)
 Tourette Syndrome Association, Inc.
 Family Network on Disabilities

State Organizations by State

| | |
|--|----|
| Down Syndrome Society of Mobile County | AL |
| Area Board XIII | CA |
| California Safe Schools | CA |
| CAPCA (California Association for Parent-Child Advocacy) | CA |
| Educate. Advocate. | CA |
| Families For Early Autism Treatment | CA |
| Hope PTA | CA |
| Independent Living Resource Center, Inc. | CA |
| Learning Rights Law Center | CA |
| Parents Advocating Together | CA |
| West Los Angeles Trauma and Crime Victim Center | CA |
| Colorado Cross Disability Coalition | CO |
| Community Link | CO |
| Mental Health America of Colorado | CO |
| The Arc of the Pikes Peak Region | CO |
| Advocates for Justice and Education | DC |
| disAbility Solutions for Independent Living | FL |
| Reveresco ABA Therapy | 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 |
| Parent to Parent of Georgia | GA |
| Hawai'i Parents Special Education Advisory Council (HIP-SEAC) | HI |
| The Arc of Iowa | IA |
| Tri State Down Syndrome Network | IA |
| Access Living | IL |
| Illinois Children's Mental Health Partnership | IL |
| LIFE Center for Independent Living | IL |
| McHenry County Mental Health Board | IL |
| Mental Health Summit of Illinois | IL |
| Mothers on a Mission, Inc. | IL |
| Northwestern IL Center for Independent Living | 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 |
| Independent Living Center of the North Shore & Cape Ann, Inc. | MA |
| Northeast Independent Living Program Inc | MA |
| Stavros Center for Independent Living, Inc. | MA |
| LDA of St. Mary's County | MD |
| Maryland Coalition for Inclusive Education | MD |
| BenzieAdvocacy Rights Council | MI |
| Michigan Alliance for Special Education | MI |
| Michigan Association of Community Mental Health Boards | MI |
| Michigan Developmental Disabilities Council | MI |
| Michigan Disability Rights Coalition | MI |
| Michigan Protection and Advocacy Services Inc. | MI |
| Oakland County Community Mental Health Authority | MI |
| The Arc Michigan | MI |
| The Respect ABILITY Law Center | MI |
| Woodlands Behavioral Healthcare Network | MI |
| Minnesota Governor's Council on Developmental Disabilities | MN |
| Coastal Women for Change | MS |
| Disability Rights Mississippi | MS |
| Just Advocacy of Mississippi | MS |
| Mississippi Coalition for Citizens with Disabilities | MS |
| Mississippi Human Service Agenda | MS |
| Nollie Jenkins Family Center, Inc. | MS |
| Parents United Together | MS |
| ADAPT Montana | MT |
| Parents, Let's Unite for Kids - PLUK | MT |
| Council for Children's Rights | NC |
| Disability Rights North Carolina | NC |
| Gaston Residential Services, Inc. | NC |
| Monarch/The Arc of Stanly County | NC |
| Piedmont Down Syndrome Support Network | NC |
| Tammy Lynn Center for Developmental Disabilities | NC |
| The Arc of North Carolina | NC |

| | |
|---|----|
| North Carolina School Social Work Association | NC |
| ADAPT Nebraska | NE |
| Disability Rights New Jersey | NJ |
| Education Law Center | NJ |
| The Arc of New Jersey | NJ |
| The Special Education Leadership Council of NJ | NJ |
| Statewide Parent Advocacy Network | NJ |
| New Jersey Association of Mental Health and Addiction Agencies, Inc. | NJ |
| New Jersey Coalition for Inclusive Education, Inc. | NJ |
| Regional Family Support Planning Council # 9 (Atlantic Co.) | NJ |
| Millburn-Short Hills (NJ) Parent Education Committee-MSPEC | NJ |
| Advocacy for Children with dis-Abilities | NM |
| Pegasus Legal Services for Children | NM |
| The Center for Self Determination | NV |
| Center for Disability Rights | NY |
| Everyone Reading, Inc. | NY |
| Independent Living Center of the Hudson Valley Inc. (ILCHV) | NY |
| Independent Living Inc. | NY |
| New York Association on Independent Living | NY |
| Regional Center for Independent Living | NY |
| Social Justice Committee, Ithaca Meeting of the Religious Society of Friends | NY |
| Southern Tier ADAPT | NY |
| Southern Tier Independence Center | NY |
| Westchester Independent Living Center | NY |
| The Arc of Ohio | OH |
| The Lorain County Board of Mental Health | OH |
| Association of Oregon Community Mental Health Programs | OR |
| Liberty Resources Inc (Independent Living Center) | PA |
| The Arc of Pennsylvania | PA |
| Public Interest Law Center of Philadelphia | PA |
| The Arc Anderson County | TN |
| The Arc Tennessee | TN |
| DFW Interfaith Coffee House | TX |
| Family Advocacy and Consultation services, Inc | UT |
| Special Needs Resource Project | UT |
| Utah Advocacy Partnership | UT |
| Blue Ridge Independent Living Center, Inc. | VA |
| disAbility Resource Center | VA |
| Endeppence Center, Inc. | VA |
| Kids With Disabilities Included and Why Not? | VA |
| Disability Rights Vermont, Inc. (Vermont's P&A) | VT |
| Green Mountain Self-Advocates | VT |
| Vermont Center for Independent Living | VT |
| PAVE - Partnerships for Action, Voices for Empowerment | WA |
| Specialized Training Of Military Parents (STOMP) | WA |
| The Arc of Washington State | WA |
| The Arc of King County | WA |
| Washington Initiative for Supported Employment | WA |

| | |
|---|----|
| Disability Rights Wisconsin | WI |
| North Shore People Network | WI |
| Wisconsin Family Assistance Center for Education, Training and Support, Inc. (WI FACETS) | WI |
| The Arc of West Virginia | WV |
| The Arc of the Mid Ohio Valley | WV |
| Parents Helping Parents of WY, Inc | WY |