



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

February 25, 2019

The Honorable Gregorio Kilili Camacho Sablan
United States House of Representatives
Washington, DC 20515

The Honorable Rick Allen
United States House of Representatives
Washington, DC 20515

Dear Chairman Sablan and Ranking Member Allen:

On behalf of the undersigned members of the Consortium for Citizens with Disabilities (CCD), we write to ask for your leadership to protect the safety of children in our schools today. The CCD has advocated for many years that federal legislation is needed to establish national minimum standards to prohibit the use of seclusion and prevent the use of restraint in schools. Restraint and seclusion are dangerous practices that continue to cause children trauma, injury and death. We need more than the current patchwork of state laws to ensure that every child is afforded protection. Such legislation will strengthen protections in every state and ensure the safety of all students and school personnel.

Unfortunately, the use of restraint and seclusion is widespread. Data from the U.S. Department of Education Civil Rights Data Collection shows that most students restrained and secluded were students with disabilities, who comprised 12 percent of all students enrolled, yet represented 71 percent of all students restrained and 66 percent of all students secluded.ⁱ Our nation's children deserve better.

These practices, in addition to being harmful and unnecessary, are costly. In 2018, research on a single behavioral healthcare facility showed that trauma-informed, less restrictive alternatives provided safer treatment for individuals with a variety of disabilities and saved over \$16 million in lost staff time expenses, turnover costs, and workers compensation policy costs.ⁱⁱ

Our organizations want to work with Congress to move restraint and seclusion legislation forward. As such, we point to work conducted in previous Congresses to develop the *Keeping All Students Safe Act* (KASSA), legislation designed to protect our nation's school children from seclusion and unnecessary use of restraint and to help states provide districts with resources and training for school personnel. Under your leadership, that bill can now be seriously considered in the House Education and Labor Committee.

We urge you to support the bill's prohibition of seclusion, limitation of physical restraint to true emergencies; and use of de-escalation techniques, conflict management and evidence-based positive behavioral interventions and supports. Such a shift of focus will also ensure school personnel receive much needed training to help them understand the needs of their students and

safely address the source of challenging behaviors – a better result for everyone in the classroom. KASSA also includes important provisions to update data collection to ensure greater transparency in the use of restraint.

CCD thanks you for your commitment to examining this important issue and looks forward to working with you.

Sincerely,

ACCSES

American Association of People with Disabilities

American Civil Liberties Union

American Music Therapy Association

American Network of Community Options and Resources

American Physical Therapy Association

American Therapeutic Recreation Association

Autism Society of America

Autistic Self Advocacy Network

American Occupational Therapy Association

Center for Public Representation

Children and Adults with Attention-Deficit Hyperactivity Disorder

Council for Exceptional Children

Council for Learning Disabilities

Council of Parent Attorneys and Advocates

Disability Rights Education & Defense Fund

Division for Early Childhood of the Council for Exceptional Children

Division for Learning Disabilities of the Council for Exceptional Children

Easterseals

Family Voices

National Association of Councils on Developmental Disabilities

National Association of School Psychologists

National Association of State Head Injury Administrators

National Center for Parent Leadership, Advocacy, and Community Empowerment

National Center for Learning Disabilities

National Center for Special Education in Charter Schools

National Disability Institute

National Disability Rights Network

National Down Syndrome Congress

National Health Law Program

National PTA

Teacher Education Division of the Council for Exceptional Children

The Advocacy Institute

The Arc of the United States

cc: The Honorable Bobby Scott
The Honorable Virginia Foxx

The Consortium for Citizens with Disabilities, headquartered in Washington DC, is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society. Since 1973, CCD has advocated on behalf of people of all ages with physical and mental disabilities and their families. CCD has worked to achieve federal legislation and regulations that assure that the 54 million children and adults with disabilities are fully integrated into the mainstream of society.

Education Task Force Co-Chairs:

Annie Acosta, The Arc of the United States

Acosta@thearc.org

Amanda Lowe, National Disability Rights Network

amanda.lowe@ndrn.org

Meghan Whittaker, National Center for Learning Disabilities

mwhittaker@ncld.org

Kim Musheno, Autism Society of America

kmusheno@autism-society.org

Laura Kaloi, COPAA & Natl. Center for Special Education in Charter Schools

lkaloi@stridepolicy.com

ⁱ Civil Rights Data Collection 2015-2016, (updated 2018) U.S. Department of Education at:

<https://www2.ed.gov/about/offices/list/ocr/docs/school-climate-and-safety.pdf>

ⁱⁱ J. Craig, K. Sanders, Evaluation of a Program Model for Minimizing Restraint and Seclusion, *Advances in Neurodevelopmental Disorders* 2:344-352 (2018), at: https://link.springer.com/epdf/10.1007/s41252-018-0076-2?author_access_token=RuZcKbb97PTjYe3GXxTJ2_e4RwlQNchNByi7wbcMAY576vly1zy1Cz24BL9xsV7xYTjTOEri3OljhjSM1NV9kaWDo3usQ66oJrA1jli3cWWtj8ydVGA2qIv4j1XzFm0UiCm0tF6cNEBWORUmPvf7cg%3D%3D