

AUCD Statement on Introduction of the Keeping All Students Safe Act

SILVER SPRING, MD (December 16, 2011) — The Association of University Centers on Disabilities (AUCD) applauds Senator Tom Harkin (D-IA), Chairman of the Senate Health, Education, Labor and Pensions Committee, for introducing the Keeping All Students Safe Act (S. 2020). This legislation would establish long-overdue protections for the use of restraint and seclusion in our nation's schools.

Restraint and seclusion in education is often unregulated. Currently, no federal laws exist to regulate the use of these interventions in schools, and many states have no laws in place to govern their use. Recent reports by the National Disability Rights Network and the Government Accountability Office show the result: children have suffered injury, trauma and even death as a result of being secluded or restrained by school personnel, often as punishment for behaviors that do not pose a threat of harm or as a replacement for positive behavioral interventions.

“Setting a federal floor of protections is essential to preventing abuse, especially for students with disabilities who experience the use of restraint and seclusion at disproportionately high rates,” said AUCD President Tony Antosh. “This bill also emphasizes prevention of the need for these techniques by promoting practices that are evidence-based, such as positive behavioral interventions and supports. Research by many of our University Centers has shown PBIS to be an effective intervention for children with challenging behaviors.”

The Keeping All Students Safe Act would prohibit the use of seclusion and the most dangerous types of restraint, require parental notification when restraint is used and require training and certification of school personnel who implement physical restraint. Its focus on preventive techniques and positive behavioral interventions will help school personnel understand the needs of their students and address the source of challenging behaviors

before they become dangerous. These national minimum standards would strengthen protections in every state and ensure the safety of all students and personnel in our nation's schools. Similar legislation by the same name (H.R. 1381) was introduced by Representative George Miller (D-CA) in the House of Representatives in April, but has yet to be taken up by the Committee on Education and the Workforce.

The membership of AUCD includes a network of 67 University Centers for Excellence in Developmental Disabilities located in every U.S. state and territory. These University Centers provide research, education, and service to further independence, productivity, and quality of life for individuals with developmental disabilities, including autism. University Centers collaborate with stakeholders in states to identify and address training needs in creative and effective ways. As the prevalence of autism has risen, University Centers have initiated many activities to help meet the growing need for children, adults, and families. For more information and a national directory of Centers, see AUCD's website at www.aucd.org.

###