



ASSOCIATION OF UNIVERSITY CENTERS ON DISABILITIES
THE LEADERSHIP, EDUCATION, ADVOCACY & RESEARCH NETWORK

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Dear Chairman Johnson and Ranking Member Peters,

On behalf of the Association of University Centers on Disabilities, I write to thank you for holding the July 25, 2019, hearing entitled: “Examining State and Federal Recommendations for Enhancing School Safety Against Targeted Violence.” We would like to make sure you are aware of our concerns about recent federal and state school safety initiatives and the potential unintended negative consequences for students with disabilities. In a climate of growing public fear about children’s safety, we urge careful consideration of evidence-based safety goals, strategies and their potential consequences. Fear should not drive a rushed process resulting in policies that neglect privacy to an extent that seriously undermines student safety and civil rights.

AUCD is a national network of university-based interdisciplinary centers and programs in every state and territory that serve as a bridge between the university and the community, bringing together the resources of both to achieve meaningful change for people with disabilities. It is through this network that we understand the real-world consequences of policy efforts related to school safety on students with disabilities, their families, and the educators and systems that serve them. We share the concerns of students, parents, educators, lawmakers and others who want nothing more than to fulfill students’ right to be safe and flourish in school.

It is critical to understand the impact on students of the approach regarding active shooter events recommended by the Department of Homeland Security. The “run, hide, fight” strategy calls for running away when possible, hiding somewhere safe when unable to run, and fighting the shooter if running or hiding are not options. For students with disabilities who may not be able to run, employment of the “hide” aspect of the “run, hide, fight” strategy often calls for waiting in areas such as libraries, bathrooms, and classrooms for response personnel to assist them — even if these areas aren’t very accessible or safe.

An additional concern is the move toward the use of door barricades and lockdown plans. These plans are too often designed in ways that do not address the needs of children with mobility or sensory-safe disabilities. As you are aware, Individualized Educational Plans (IEPs) and 504 Plans reflect the federal requirement for special education students to have access to appropriate accommodations. While these plans can be a great way to address a child’s specific needs, it is a dangerous disservice to everyone on a school campus to relegate inclusive solutions to active shooter events to these plans, as these solutions impact far more than one student. It is not feasible that a school administration could efficiently respond to the individual IEPs of each student and keep all students safe in the event of a real emergency. The safety of

students with disabilities must be included in the broader response plan in place for all students. Relying on individual plans also represents a missed opportunity for universal design and inclusion, which could benefit the campus as a whole.

Additionally, AUCD is deeply concerned about the impact of increased reliance on law enforcement in school settings at the expense of funding support for crucial mental and physical health, counseling and social work services. Research around social adjustment, education outcomes and student safety all indicate that investment in these types of supports for students are more cost-effective both for schools and for society at large than expenditures on increased law enforcement presence in the school. The U.S. Department of Education Office for Civil Rights reports that students with disabilities are more likely to be restrained, referred or arrested by law enforcement, and has documented bias against students of color regarding referral to law enforcement agents in school. It is important to note the presence of armed school resource officers or guards has not prevented some of the most high-profile mass school shootings, such as those at Columbine High School and at Marjory Stoneman Douglas High School.

We are also concerned that school safety initiatives calling for unfettered access to student records for law enforcement may represent a significant safety risk to students with disabilities. The Federal Commission on School Safety report has a strong focus on sharing data and, thus, has privacy implications for students, teachers and the public. Although several sections of the report acknowledge the need for privacy safeguards, the Commission unfortunately offers little guidance — except on acceptable data sharing during emergencies under the federal student privacy law, FERPA — to educators, districts or states on how to implement security measures while including appropriate privacy protections.

We urge the committee to define safety inclusively, and to ensure that facts, evidence and students' best interests inform school safety policies and initiatives. We believe this is the only way to keep all students truly safe in schools.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rylin Rodgers', with a stylized flourish at the end.

Rylin Rodgers, Director of Public Policy
Association of University Centers on Disabilities