

March 13, 2012

The Honorable Tom Harkin
Chairman, HELP Committee
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

On behalf of the Association of University Centers on Disabilities, we write to express serious concerns about a recent report from the American Association of School Administrators that promotes the use of restraint and seclusion as tools to protect students and school personnel. The report, which relies on a survey of an undisclosed portion of AASA's members, is misleading and obscures the very real dangers of restraint and seclusion use.

As you know, these dangers are well-documented. AUCD believes that the AASA's suggestion that restraint and seclusion is not a serious national problem is irresponsible. The use of these techniques and their harmful effects are widespread and pervasive. In addition to reports from the Government Accountability Office and the National Disability Rights Network, new data from the Department of Education's Office for Civil Rights shows that tens of thousands of school-aged children were restrained or secluded during the 2009-2010 school year. Of the almost 40,000 instances of physical restraint during that year, nearly 70 percent of the students involved had disabilities. The recent media storms about "scream rooms" in Connecticut and a Kentucky child stuffed into a duffel bag are more evidence that school personnel across the country need training in effective ways to manage behavior problems without putting themselves and their students at risk.

Students are not the only victims of restraint and seclusion; school personnel are frequently injured when implementing restraints, creating extra costs for schools in the form of workers' compensation claims and lost employee time. AUCD believes that any organization concerned with the safety of school personnel should support national standards that help to prevent dangerous behavior problems and promote a positive and safe school climate.

AUCD urges Congress to act based on the wealth of data and information that accurately reflect the incidence of restraint and seclusion use, rather than on the AASA survey results which appear to have no scientific validity. We believe that your bill, the Keeping All Students Safe Act (S. 2020), is the solution to keeping both students and school personnel safe while allowing schools to plan for emergency situations.

All students have the right to be free from abusive practices and have access to a safe and effective educational climate. The dangerous situations occurring in our nation's schools as a result of restraint and seclusion are simply unacceptable. Congress must act to protect all students in all schools by passing the Keeping All Students Safe Act immediately. We look forward to working with you to enact this essential legislation.

Sincerely,



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