



May 15, 2013

The Honorable George Miller
United States House of Representatives
Washington, DC 20515

Dear Representative Miller:

On behalf of APRAIS (The Alliance to Prevent Restraint, Aversive Interventions and Seclusion), this letter is to thank you for introducing legislation to address the issue of seclusion and restraint in schools. Seclusion, restraint and other aversive interventions in schools cause unnecessary trauma, injury and death to America's children.

Restraint or seclusion in education is often unregulated and reportedly all too common for behaviors that do not pose danger or threat of harm. Data released by the Department of Education Office of Civil Rights (<http://ocrdata.ed.gov/>, March, 2012) shows that students with disabilities and students of color are subjects of these practices much more often than their white peers without disabilities. What's more, the disparities are alarming: Students with disabilities make up one out of every eight students (12 percent); however, students with disabilities comprise nearly 70 percent of students physically restrained by adults in their schools. African American students comprise 21 percent of all students with disabilities, although they make up 44 percent of students with disabilities subjected to mechanical restraint; data on restraint and seclusion show that, while Hispanic students represent 24 percent of students without disabilities, they are a full 42 percent of students without disabilities who are subject to seclusion.

There are numerous alternatives to restraint and seclusion, including positive behavioral interventions and supports and other de-escalation techniques. Efforts to reduce restraint and seclusion should be part of a strategy for school-wide safety and should include the development of district-wide policies, training for all educational staff, crisis preparation, interagency cooperation and student/parent participation. Proactive approaches need to be used, e.g., positive behavior interventions and supports that are safe, effective, and evidence-based. Research demonstrates that the use of preventative and positive approaches is a cost-saving approach that changes how schools respond to students, improving student behavior by promoting and reinforcing desired behaviors and eliminating the unintended reinforcement of and need to respond to problem behaviors.

Research, recent reports, and the GAO investigation that you requested clearly establish that because restraints, seclusion and aversive interventions are so harmful, they must be prohibited

except in the rarest of circumstances. Thank you again for introducing this legislation to prevent this harmful practice. APRAIS stands ready to assist in enacting legislation that fully protects each student's right to be safe at school.

The Alliance to Prevent Restraint, Aversive Interventions and Seclusion (APRAIS) consists of twenty five national organizations, and was established in 2004 by leading education, research and advocacy organizations to protect children with significant disabilities who exhibit challenging behaviors from abuse in schools, treatment programs and residential facilities. Again, we thank you for introducing this important legislation, and we look forward to continuing our work with the Committee to ensure protection of student and parent rights.

Sincerely,

Members of APRAIS:

American Association of People with Disabilities
Association of University Centers on Disabilities
Autism National Committee
Autism Society
Autistic Self Advocacy Network
Bazelon Center for Mental Health Law
Children and Adults with Attention Deficit/Hyperactivity Disorder
Council on Parent Attorneys and Advocates
Disability Rights Education and Defense Fund
Epilepsy Foundation
Families Against Restraint and Seclusion
Family Alliance to Stop Abuse and Neglect
National Alliance on Mental Illness
National Association of Councils on Developmental Disabilities
National Association of State Mental Health Program Directors
National Autism Association
National Down Syndrome Congress
National Down Syndrome Society
National Fragile X Foundation
Parent 2 Parent USA
Respect ABILITY Law Center
TASH
The Arc of the United States