



February 17, 2010

Congressman George Miller  
Chair, House Education and Labor Committee  
Congresswoman Cathy McMorris Rodgers  
United States House of Representatives  
Washington, D.C. 20515

*Re: Support for H.R. 4247: Preventing Harmful Restraint and Seclusion in Schools Act*

Dear Chairman Miller and Congresswoman McMorris Rodgers,

The Autism National Committee (AutCom) is a 20-year-old national nonprofit organization of people with autism, advocates, and other professionals dedicated to protecting and advancing the human rights and civil rights of adults and children with Autism, Pervasive Developmental Disorder, and related differences of communication and behavior. We have hundreds of members across America who have long fought against abusive restraint, seclusion, and aversives.

On our 20th anniversary, AutCom is proud to support H.R. 4247, the Preventing Harmful Restraint and Seclusion in Schools Act. We thank you for introducing the act and your leadership in protecting the rights of children and youth across America.

Restraint and Seclusion of schoolchildren with disabilities is a particularly pernicious problem in America. The Government Accountability Office (GAO) found that hundreds of children have been subjected to these techniques, including a 7 year old dying after being held face down for hours by staff, 5 year olds tied to chairs with duct tape and suffering broken arms and bloody noses, and a 13 year old hanging himself in a seclusion room.

Studies and news reports have shown that many of the children who have been abused have had autism. One second grader with autism in Iowa was kept in a locked seclusion room so long that she wet her pants and was not allowed to change. She was restrained for hours as she was forced to color hand over hand. She regressed so badly that her parents were forced to home school her. Another seven-year-old with autism in Utah was forced into a seclusion room for 2 hours as his teacher played his favorite videos outside and taunted him. He emerged from the room covered from head to toe with magic marker—the only way his parents knew something had happened.

We support H.R. 4247 because it will establish national minimum standards to protect children in schools. Every student in every state is entitled to be protected from abusive techniques. The bill will ensure that restraint and seclusion will only be used if there is an imminent risk of physical injury that less restrictive interventions would not stop. Schools will no longer be allowed to use these dangerous techniques to punish children or coerce compliance. Schools must end restraint and seclusion as soon as the emergency ends. Often, schools required children with autism to sit completely still, utter certain words, or complete arbitrary tasks to be released. Because children with autism often cannot do so, they were kept in restraint and seclusion for hours on end.

H.R. 4247 will protect students by ensuring that restraint and seclusion are not included as planned interventions in their IEPs, Behavioral Intervention Plans, and other educational planning documents. It will ban aversives that threaten health and safety. It will require schools to notify parents within 24 hours; no school will be able to hide abuse. The bill will ban mechanical and chemical restraints and those that interfere with breathing. It will ensure that children with disabilities have the same protections in the schoolroom that they have had for over a decade in hospital and other medical facilities.

For these reasons, the Autism National Committee is proud to support H.R. 4247, the Preventing Harmful Restraint and Seclusion in Schools Act. As we go into our 21st year, AutCom looks forward to the enactment of this law and a society in which all children are safe from abuse in the classroom. Thank you very much for your leadership in fighting pernicious abuses of children and youth with disabilities in school.

Sincerely,

Sandra McClennen  
President, Autism National Committee

Jim Butler  
Chair, Legislative Committee  
Autism National Committee  
jbutler5700@gmail.com  
www.autcom.org