

January 4, 2010

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

The Honorable Cathy McMorris-Rodgers  
United States House of Representatives  
Washington, DC 20515

Dear Representatives:

On behalf of the undersigned organizations dedicated to the integration and inclusion of children and adolescents with disabilities, this letter is to thank you for introducing H.R. 4247, the Preventing Harmful Restraint and Seclusion in Schools Act. Seclusion, restraint and other aversive interventions in schools cause unnecessary trauma, injury and death to America's children, and we support your efforts in addressing this important issue.

Restraint or seclusion in education is often unregulated and reportedly all too common for behaviors that do not pose danger or threat of harm. A recent Texas Tribune review of state data shows public school educators used physical restraints roughly 100 times a day during the 2007-08 school year, with school staff restraining four of every 100 special education students for a total of 18,000 times, and some students being restrained dozens of times. More than 40 percent of restrained youth suffered emotional distress, including post-traumatic stress disorder. No child should be subject to such abuse at school. Furthermore, evidence shows a disproportionate use of these techniques on students with disabilities, thus violating their right to nondiscrimination in accessing education. The fact that Texas has a fairly strong law on the use of restraint and seclusion indicates the need for Federal protection and allocation of resources and assistance to States to assist in developing plans to reduce the use of these dangerous techniques.

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 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. We stand ready to assist in enacting legislation that fully protects each student's right to be safe at school.

Sincerely,

ACCSES

Advocates for Children of New York (New York, NY)  
American Academy of Child and Adolescent Psychiatry  
American Academy of Pediatrics  
American Association for Marriage and Family Therapy  
American Association on Health and Disability  
American Association on Intellectual and Developmental Disabilities  
American Association of People with Disabilities  
American Counseling Association  
American Group Psychotherapy Association  
American Psychiatric Nurses Association  
Association of University Centers on Disabilities  
Autism Society  
Bazelon Center for Mental Health Law  
Burton Blatt Institute  
CHADD, Children and Adults with Attention Deficit/Hyperactivity Disorder  
Community Parent Resource Center of New Mexico (Bernalillo, NM)  
Council for Exceptional Children  
Council for Learning Disabilities  
Depression and Bipolar Support Alliance  
Division for Learning Disabilities  
Epilepsy Foundation  
Higher Education Consortium for Special Education  
Families Against Restraint and Seclusion  
Families Together, Inc.  
Family Alliance to Stop Abuse and Neglect  
Family to Family Health Information Center (New Jersey)  
Family Voices  
Family Voices (New Jersey Chapters)  
Family Voices of Tennessee  
Learning Disabilities Association of America  
Maine Parent Federation  
Mental Health America  
National Alliance on Mental Illness  
National Association for Children's Behavioral Health  
National Association of Councils on Developmental Disabilities  
National Association of County Behavioral Health and Developmental Disability Directors  
National Association of School Psychologists  
National Association of State Mental Health Program Directors  
National Coalition of Mental Health Consumer/Survivor Organizations  
National Council on Independent Living  
National Disability Rights Network  
National Down Syndrome Congress  
National Down Syndrome Society  
National Federation of Families for Children's Mental Health  
National PTA  
National Rehabilitation Association

National Respite Coalition  
National Spinal Cord Injury Association  
New Jersey's Parent Training and Information Center  
Northwest Arkansas Community Parent Resource Center (Springdale, AR)  
Parent to Parent of Georgia (Atlanta, GA)  
Pennsylvania TASH  
Pyramid Community Parent Resource Center (New Orleans, LA)  
Resources for Children with Special Needs, Inc.  
Respect ABILITY Law Center  
School Social Work Association of America  
South Dakota Parent Connection (Sioux Falls, SD)  
Statewide Parent Advocacy Network of New Jersey (Newark, NJ)  
Statewide Parent to Parent (NJ)  
TASH  
Teacher Education Division of the Council for Exceptional Children  
The Advocacy Institute  
The Arc of the United States  
Therapeutic Communities of America  
Tourette Syndrome Association  
United Cerebral Palsy  
United Spinal Association  
U.S. Psychiatric Rehabilitation Association  
Witness Justice