

February 17, 2010

Chairman George Miller

House Committee on Education and Labor

2181 Rayburn House Office Building

Washington, DC 20515

Dear Congressman Miller;

Thank you for the opportunity to comment on H.R. 4247, the Prevention of Harmful Seclusion and Restraint in Schools Act. I am writing on behalf of five different organizations who teach the prevention and, if needed, use of restraint. We are writing as a group with genuine concern about how guidance and policy is shaped in this critical area. We represent five different training organizations that have been involved in implementing staff training in over 20,000 schools in the US. Our training programs share the common objective of preventing situations from escalating to a level of dangerousness where the use of physical interventions are needed. However, in order to protect both students and staff in dangerous situations, our programs all include instruction in the use of physical restraint.

It is our belief that educators sincerely desire to do their jobs – to educate – with the intention of maintaining safety for themselves and their students. When safety is compromised, it is our belief that this represents a failure at a systems level and not an individual level, unless the person engaged in behavior that was abusive or neglectful per federal and state law. We understand that educational staff work with children and young adults whose behavior may pose a threat of harm to themselves and/or others, and that tools must be utilized that maintain safety.

Individually and as a group of concerned professionals, we are in support of the purpose of H.R. 4247. We have, in the past, worked cooperatively with the Child Welfare League of America in the creation of their document, Best Practices in Behavior Management. We will work cooperatively in the implementation of the Prevention of Harmful Seclusion and Restraint in Schools Act should it pass the House and Senate and be signed into law by President Obama. We have provided, in a separate communication, detailed information on suggestions for change in some of the definitions in the act to lower the burden of documentation on the part of schools and use definitional language from the US Department of Justice.

Thank you for your leadership and continuing support for this legislation. We look forward to working with you to increase the safety of students and educational staff in all settings.

Sincerely,

Bob Bowen, CEO, The Mandt System, Inc.

Peter Eastman, CEO, Non-Abusive Psychological and Physical Intervention

Judith Schubert, President, Crisis Prevention Institute

Martha Holden, Executive Director, Therapeutic Crisis Intervention

Joseph K. Mullen, President, JKM Training