

January 3, 2010

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

Dear Chairman Miller and Rep. McMorris-Rodgers:

The Autism Society is pleased to see the long-awaited introduction of **H.R. 4247, *the Preventing Harmful Restraint and Seclusion in Schools Act***. Seclusion, restraint and any other aversive interventions in schools cause unnecessary trauma, injury and death to America's children, and we whole-heartedly support your efforts in addressing this critical safety issue.

Parents of special-needs children, especially those with a child on the autism spectrum, shouldn't be afraid of sending their most precious gift to school, and even more importantly, our children should feel safe in their educational setting.

There are many dedicated teachers in America's schools, and many proven techniques that do not require aversive interventions or unsafe restraints and seclusion. Restraint or seclusion in the educational setting is simply unacceptable and, 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. Absolutely 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, willing and able to assist in enacting legislation that fully protects each student's right to be safe at school.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Sell". The signature is written in a cursive, flowing style.

Jeff Sell, Esq.

Vice President, Public Policy