



February 15, 2022

Dear Chair Scott, Ranking Member Foxx, Chair Sablan, Ranking Member Owens, and members of the committee,

On behalf of the Consortium for Citizens with Disabilities (CCD), we write to thank you for the subcommittee hearing: *Serving All Students: Promoting a Healthier, More Supportive School Environment*. The hearing is essential to furthering understanding of the need to ensure schools are safe for all children, especially students with disabilities and students of color. Specifically, we also urge you to follow the hearing with a mark-up of the *Keeping All Students Safe Act* (KASSA/HR 3474) which is designed to protect the safety of children from the abuses of seclusion and restraint in our schools. To date, HR 3474 has 100 cosponsors which demonstrates the strong commitment to protecting students.

The CCD continues to advocate that federal legislation is needed to establish national minimum standards to prohibit the use of seclusion and the most harmful forms of restraint (e.g., prone, supine, mechanical, chemical), and provide states and districts with resources to train school teams in evidence-based practices known to eliminate the need for outdated methods. Restraint and seclusion are dangerous practices that continue to cause children trauma, injury, and death. We need more than the current patchwork of state laws to ensure that every child is afforded protection. KASSA will strengthen protections in every state and ensure the safety of all students and school personnel.

Unfortunately, the use of restraint and seclusion is widespread. Data from the U.S. Department of Education Civil Rights Data Collection continues to show that most students restrained and secluded were students with disabilities, who comprised 14 percent of all students enrolled, yet represented nearly 80 percent of all students physically restrained, and 77 percent of all students secluded. We also know that Black students with disabilities are disproportionately secluded and restrained.<sup>i</sup> Our nation's children deserve better.

These practices, in addition to being harmful and unnecessary, are costly. In 2018, research on a single behavioral healthcare facility showed that trauma-informed, less restrictive alternatives provided safer treatment for individuals with a variety of disabilities and saved over \$16 million in lost staff time expenses, turnover costs, and workers compensation policy costs.<sup>ii</sup> KASSA would provide resources to states and districts so they can identify existing and new evidence-based resources, train, and support school teams, and collaborate with stakeholders to create a safe and healthy school climate for all.

CCD is committed to working with Congress to move KASSA forward. The legislation is designed to protect our nation's school children from seclusion and unnecessary use of restraint and to help states provide districts with resources and training for school personnel. With your leadership, the bill can and should be seriously considered.

CCD thanks you for your commitment to students with disabilities through KASSA. We look forward to working with you.

Sincerely,

CCD Education Task Force Co-Chairs:

Kim Musheno, Autism Society of America

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*The Consortium for Citizens with Disabilities (CCD) is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society. The Education Task Force of CCD monitors federal legislation and regulations that address the educational needs of children and youth with disabilities and their families, including regulatory efforts under federal law such as the Individuals with Disabilities Education Act (IDEA), the Every Student Succeeds Act (ESSA), Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA). The Education Task Force advocates for high expectations for children with disabilities under these and other laws.*

[www.c-c-d.org](http://www.c-c-d.org)

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<sup>i</sup> Civil Rights Data Collection, Office for Civil Rights, U.S. Department of Education (2020) at:

[https://www2.ed.gov/about/offices/list/ocr/docs/restraint-and-seclusion.pdf?utm\\_content=&utm\\_medium=email&utm\\_name=&utm\\_source=govdelivery&utm\\_term=](https://www2.ed.gov/about/offices/list/ocr/docs/restraint-and-seclusion.pdf?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=)

<sup>ii</sup> Craig, J., Sanders, K., Evaluation of a Program Model for Minimizing Restraint and Seclusion, (2018) at:

[https://link.springer.com/epdf/10.1007/s41252-018-0076-2?author\\_access\\_token=RuZcKbb97PTjYe3GXxTJ2\\_e4RwIQNchNByi7wbcMAY576vY1zy1Cz24BL9xsV7xYTjTOEri30IjhSM1NV9kaWDo3usQ66oJrA1jli3cWWtj8ydVGA2qIv4j1XzFm0UiCm0tF6cNEBWORUmPvf7cg%3D%3D](https://link.springer.com/epdf/10.1007/s41252-018-0076-2?author_access_token=RuZcKbb97PTjYe3GXxTJ2_e4RwIQNchNByi7wbcMAY576vY1zy1Cz24BL9xsV7xYTjTOEri30IjhSM1NV9kaWDo3usQ66oJrA1jli3cWWtj8ydVGA2qIv4j1XzFm0UiCm0tF6cNEBWORUmPvf7cg%3D%3D)