Dear Chairman Scott and Representatives Beyer and McEachin,

The Autism Society of America writes to express our gratitude for introducing the Keeping All Students Safe Act (KASSA) to reduce the use of restraints and seclusion in schools. Every student should be safe and protected while at school. Sadly, that is not always the case. A 2019 report by the Government Accountability Office (GAO) found that the use of restraint and seclusion in K-12 public schools nationwide is more prevalent among students with autism and other disabilities.\(^1\) Data from the 2013-2014 school year found that 100,000 students were restrained and/or secluded. Out of these 100,000 students, around 70,000 of them had disabilities.\(^2\) Although some states have passed laws prohibiting seclusion and limiting restraint, most states still have no policy or inadequate policies protecting children from these practices. In many states, parents are never even notified their child is placed in seclusion or had restraint imposed.

Not only is restraint and seclusion unequally used toward students with disabilities, but restraint and seclusion practices outside of an emergency context are widely recognized to be dangerous and dehumanizing for all involved. Numerous reports have shown that these practices can result in emotional and physical trauma, serious injury and even death. For example, a nine-year-old boy died when his teacher placed him in a “basket hold”, meaning the teacher stood behind him and held the child’s arms crossed over his chest onto the floor. This teacher’s grip led to the student’s death after he was deprived of oxygen.\(^3\) This is sadly only one of the instances of restraint and/or seclusion resulting in death.

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The Keeping All Students Safe Act ensures that students with autism and other disabilities will no longer be subjected to seclusion and restraints except in rare cases when a student's behavior causes imminent threat of serious physical injury to self or others. In addition, the bill ensures that educators and additional school personnel are well trained in de-escalation techniques, conflict management and evidence-based positive behavioral interventions and supports.

Thank you again for the introduction of this bill. We look forward to working with you to pass this important legislation.

Sincerely,

Christopher S. Banks
President and CEO
Autism Society of America

Cc: Ranking Member Foxx