November 17, 2020

The Honorable Patty Murray
Ranking Member, Senate HELP Committee
154 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Christopher Murphy
136 Hart Senate Office Bldg.
Washington, DC 20510

Dear Ranking Member Murray and Senator Murphy,

The Autism Society of America writes to express our gratitude for introducing the Keeping All Students Safe Act (KASSA) to protect our students from restraint and seclusion. Every student should be safe and protected while in our school buildings. 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 disabilities and boys of color.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 This disproportionately affects the population in which the Autism Society is enlisted to protect and ensure equity. Although many states are taking stronger actions to pass laws prohibiting seclusion and limiting restraint, multiple states still have no policy 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 had too strong of a grip causing the boy to die after he was deprived of oxygen.³ This is sadly only one of the instances of restraint and/or seclusion resulting in death.

The Keeping All Students Safe Act ensures that our students with disabilities will no longer become disproportionately impacted by these unsafe and deadly practices of restraint and seclusion, as well as ensure that educators and additional school personnel are well trained on how to best manage the diverse behaviors of our students. We thank you for your longstanding commitment to promoting community living for people with disabilities. We look forward to working with you to pass this important legislation. Thank you again for the introduction of this bill.

Sincerely,

Christopher S. Banks
President and CEO
Autism Society of America

Cc: Chairman Lamar Alexander