



of Wisconsin Disability Organizations

101 East Wilson Street, Room 219, Madison, Wisconsin 53703
Voice: 608/266-7826 Fax: 608/267-3906

July 22, 2014

The Honorable Ron Johnson
The Honorable Paul Ryan
The Honorable Ron Kind
The Honorable James Sensenbrenner
The Honorable Thomas Petri
The Honorable Sean Duffy
The Honorable Reid Ribble

Dear Senator/Representative:

The Survival Coalition of Wisconsin Disability Organizations is a cross-disability coalition of more than 40 state and local organizations and groups. We are writing to request your support for the Keeping All Students Safe Act (KASSA), S. 2036 / H.R. 1893, which limits harmful seclusion and restraint practices used on students, many of them children with disabilities, in public schools.

Research clearly shows that seclusion and restraint techniques are ineffective either for managing challenging behavior or teaching more appropriate behavior. In 2009 several of our member organizations - Disability Rights Wisconsin, Wisconsin FACETS and Wisconsin Family Ties - [issued a report](#) documenting the consequences of seclusion and restraint use in Wisconsin, including the death of a 7-year-old girl from Rice Lake who died as the result of a restraint after she blew bubbles in her milk.

As you may know, Wisconsin passed a state law (Act 125) in 2012 to address these concerns. Unfortunately, however, Act 125 does not require districts to make public reports to the state education agency about their seclusion and restraint data. This has resulted in a lack of statewide ability to assess the extent of the use of seclusion and restraint, and no incentive or disincentive to address overuse. An open records request for seclusion and restraint data to all Wisconsin school districts this past year revealed significant confusion about definitions for seclusion and restraint; poor, inaccurate or non-existent data collection; and a lack of focus on addressing overuse of seclusion and restraint. In addition, school resource officers (law enforcement) and other contract personnel are not subject to Act 125 and may continue to use these aversive techniques when there is no imminent risk of physical harm.

The Keeping All Students Safe Act (KASSA), S. 2036 / H.R. 1893 creates a federal floor and common definitions for seclusion and restraint and eliminates the patchwork of poor or inadequate state policy that currently exists nationally. Under this legislation, school districts would be required to report incidents of seclusion and restraint to their state educational agency, disaggregated by demographics, age, and disability status; the Senate version of the bill would further require disaggregation by disability category. This improved data collection would support significant positive change in Wisconsin and we believe would help ensure student safety. In addition, under KASSA, the regulation of seclusion and restraint would apply to contractors and resource officers as well as school personnel.

Thank you for considering sponsorship of this important legislation and for protecting all Wisconsin students from these harmful practices.

Sincerely,

Survival Co-Chairs:

Maureen Ryan, moryan@charter.net; (608) 444-3842;
Beth Swedeen, beth.swedeen@wisconsin.gov; (608) 266-1166;
Kristin M. Kerschensteiner, kitk@drwi.org; (608) 267-0214