Dear Senator Harkin:

On behalf of the National Down Syndrome Society (NDSS), I am writing to thank you for your strong leadership in preventing harmful and dangerous restraint and seclusion practices in our nation’s schools and for the introduction of the Keeping All Students Safe Act, S. 2020.

NDSS is a nonprofit organization representing the more than 400,000 Americans with Down syndrome and their families. The mission of NDSS is to be the national advocate for the value, acceptance and inclusion of people with Down syndrome. NDSS has over 350 affiliates nationwide. NDSS strongly supports the Keeping All Students Safe Act. This critically important legislation will protect both children and adults and emphasizes prevention of the need for emergency behavior intervention through the use of evidence-based practices.

We are particularly pleased that the bill establishes federal protections against the use of those practices proven to be the most dangerous, such as life-threatening restraints that inhibit breathing, seclusion, and mechanical and chemical restraints. Other key provisions include the restriction of the use of restraint to emergency situations when there is an imminent threat of bodily injury, the prohibition of including a plan for restraint use in a student’s Individualized Education Program (IEP), the required 24 hour parental notification, a required debriefing process, the use of Functional Behavior Assessments and Behavioral Intervention Plans with fidelity, and the requirements for personnel training and data collection.
Thank you again for your long-term leadership and for introducing strong legislation to prevent harmful restraint and seclusion practices. We stand ready to assist you and your staff in the passage of this critically important legislation.

Sincerely,

Madeline Will
Vice President, Public Policy
Director, National Policy Center
National Down Syndrome Society