

**ALLIANCE
AGAINST**

**SECLUSION
RESTRAINT**

January 30th, 2020

Senator Amy Sinclair
1255 King Rd
Allerton, IA 50008

Senator Sinclair,

I am writing to you today on behalf of the Alliance Against Seclusion and Restraint (AASR). AASR believes we can make our schools across the nation safer for students, teachers, and staff by reducing and eliminating the use of restraint and seclusion. This is not just our opinion but is backed by data that demonstrates that teachers and staff are far more likely to sustain injuries and trauma using physical interventions. We were recently notified about the bill that you have introduced to “solve” the problem of “room clears” and wanted to provide you with an alternate perspective.

There are several things you should understand before moving forward with the bill. First, the students you refer to as “violent” are often very young disabled children who are not being appropriately accommodated as required by Federal Law (Individuals with Disabilities Education Act). Children with disabilities have a right to a free and appropriate public education. Federal law requires that these children be educated in the least restrictive environment (LRE). The least restrictive environment for a student who has been identified as having a disability that makes him/her eligible for special education and an Individualized Education Plan (IEP) is determined on an individual basis for each child depending on the child’s specific needs. Another important concept that must be understood is that behavior is a form of communication, particularly for children who have no other means of communication, or who are unable to access their higher brain centers to communicate verbally when they are in a state of heightened fear or anxiety. Behavior is a reflection of unmet needs, fear, anxiety, worry, pain, sensory sensitivities, auditory sensitivities, hunger, and a wide array of other factors. Labeling these students as “violent” as in done in your bill, and blaming parents, as is suggested in the discussion about the bill, are inflammatory, rather than factual and solution-oriented.

At AASR we agree that all children, teachers, and staff have a right to a safe environment in which to learn. The fact that there is this behavior issue indicates that

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something has gone awry in creating that safe learning environment for those students. Students with whom the teachers have developed relationships, and for whom appropriate supports and accommodations have been provided do not lash out as seen in the video that accompanied the news story. This kind of behavior is seen when children's needs are not met. It is seen when children are expected to comply, though they do not understand what they are being asked to do. Or when they are being asked to do something that they are not capable of doing. In each of these cases, a fight, flight or freeze response (stress response) is triggered. Unfortunately, these fight, flight, or freeze responses are indistinguishable from volitional behavior. However, a stress response is not willful; it is the body responding to the brain's signal that there is danger in the environment. When adults treat stress responses as though they are willful, the stress and anxiety are compounded, often escalating the behavior.

Children living with trauma or trauma histories, children with neurodiversity, such as autism and ADHD, children with mental health issues like anxiety and depression, all have overly sensitive autonomic "threat detection centers" (the amygdala). Their bodies are operating from the lower, life-protecting parts of the brain, ready to go into fight, flight or freeze instantaneously. As such they have less access to the prefrontal cortex where problem-solving, planning, impulse control, and other executive functions occur. These children are not miniature adults. Their brains are in development. Their brains will not be fully developed until they are in their 20's. It is the purpose of schools and teachers and administrators to guide that development, not label one part of the development (behavior) as bad and send them away from the other students.

Discipline and classroom management programs often contribute to escalating behavior. Could that be the case in Iowa? Have the teachers had any training in brain development, the development of self-regulation through co-regulation, the critical importance of relationships in understanding and helping children who struggle with behavioral challenges? How about trauma? Trauma changes the physical structure of the brain. Interactions with the child change the child's brain. An environment where a child does not feel safe and secure wires the child's brain to be constantly on the alert for danger, and to "find" danger even in situations others would not perceive to be dangerous. How have the teachers responded to these students? Have the adults sought to understand and support, or simply to correct and seek obedience? Have the adults recognized the multiplicity of factors impacting behaviors, including physical

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illnesses, pain, trauma, sensory sensitivity, fear, auditory processing issues, and much more? Developing a relationship with the child and seeking to find and solve the source of the child's distress is an effective way to eliminate challenging behavior.

There are several issues with the bill that are problematic from legal, ethical, moral and best practice perspectives. You suggested moving these “problem” children out of the class into specialized classrooms. The Office of Special Education Programs (OSEP) issued a [Dear Colleague Letter](#) in 2016 that spelled out the requirements that a child with disabilities has rights that must be considered. The supports and accommodations that are being provided to the student must be reviewed before there is any consideration of another placement. In many cases, it has been found that troublesome behaviors have occurred because the supports and accommodations listed on the child's IEP are not being provided. For children who do not have an IEP, there must be an assessment to determine if the behavior is related to a disability.

Children without disabilities benefit from inclusive practices as much as students with disabilities do. This has been documented consistently through research and anecdotally from both students with disabilities and students without disabilities. The key is sufficient training of the teacher(s), sufficient staffing and sufficient supports and accommodations for the student with a disability.

If you are interested in solving this problem in a way that respects all students, teachers, and parents, we suggest Ukeru Systems (www.ukerusystems.com). This system was developed by Grafton Integrated Health Network, an organization that serves children, youth and adults with a spectrum of disabilities and mental health diagnoses. In the 80's and 90's the organization shifted toward traditional behavior modification, which meant restrictive practices and controlling culture. They realized they had strayed from their core person-centered values. From this recognition, the Ukeru system, based on [comfort, not control](#) was developed. This system resulted in the elimination of all seclusion, 99.9% reduction of restraints, reduction of injuries to students and employees, reduction of workmen compensation claims, \$15 million in savings over 10 years and a bonus finding of increased goal attainment.

It is time to stop blaming students for behaviors that are a manifestation of their disability – or are stress responses – or are cries for help to adults who have not been shown how to help and support them. There has been way too much blame and way

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too little support and compassion. There are far better ways to work with children that are safer for the students, teachers, and staff. We recognize that you want to make classrooms in Iowa safer, but we are concerned that what you are recommending in your bill will make things worse for the students, teachers, and staff.

We suggest that Iowa provide appropriate funding to support the teachers, aides, and administrators with trauma-informed alternatives. If you are interested in making a positive change we suggest you review the current research. Suggested resources included Mona Delahooke's *Beyond Behaviors: Using Brain Science to Understand and Solve Children's Behavioral Challenges*; Ross Greene's *The Explosive Child, Lost at School, Raising Human Beings* and www.livesinthebalance.org, Heather T. Forbes's *Help for Billy*, Lori Desautels, [Revelations in Education](#), [The Center on the Developing Child at Harvard](#), [Creating, Supporting, and Sustaining Trauma-Informed Schools: A System Framework](#).

The team of parents, professionals, and youth at the Alliance Against Seclusion and Restraint are available to assist with resource identification for durable solutions that respect the rights of all individuals; children with and without disabilities, parents, teachers, aides, and principals. Thank you for your time and attention to this critical issue.

Regards,



Guy Stephens
Founder and Executive Director



Beth Tolley
Director of Educational Strategy

CC: Dan Winters, Senator Joni Ernst, Senator Chuck Grassley