

**Opening Statement of Chairman Gregorio Kilili Sablan (CNMI), Subcommittee on Early Childhood,
Elementary, and Secondary Education**

Subcommittee on Early Childhood, Elementary, and Secondary Education

Classrooms in Crisis: Examining the Inappropriate Use of Seclusion and Restraint Practices

2175 Rayburn House Office Building

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Today, we are here to discuss the federal government's role in protecting the health and safety of students and school staff. Every student in our country, from Congressman Morelle's district in New York to my district in the Northern Marianas and all points in between, deserves a healthy school climate where they can learn and grow. And every educator deserves to feel safe in the classroom.

Unfortunately, we know that this is too often not the case.

The widespread use of dangerous restraint and seclusion discipline practices are undermining school climate and putting students and school staff at risk.

A growing body of research shows that, each year, hundreds of thousands of students experience restraint or seclusion. In the 2015-2016 school year alone, 122,000 students were physically restrained, mechanically restrained, or secluded.

While these practices were originally intended as a last-resort to protect students and staff in cases of emergency, they now play a more central role in school discipline. This has had serious consequences.

Students have described being tied to chairs, having their mouths taped shut, and being locked in small dark spaces. In rare cases, restraint has resulted in students' death. Just last year in California, a 13-year-old boy with autism was held in a face-down restraint for so long that he suffocated to death.

The disparities that exist within school discipline broadly also appear in the application of seclusion and restraint. Students of color and students with disabilities are more likely to experience these practices than their peers. Recent data show that 70,000 students with disabilities were restrained or secluded in a single school year. Though Black students make up only 15 percent of school enrollment, they account for nearly a third of these cases.

While we do not have data on injuries to school staff, anecdotal evidence suggests there are an untold number of educators who are also physically and emotionally harmed by the use of seclusion and restraint. Without proper training, teachers conducting restraint can further escalate the situation and unintentionally inflict costly injury on themselves, which can require them to seek physical rehabilitation. All of these scenarios require resources and time that could be otherwise spent in the classroom teaching students.

And while federal law restricts the use of these practices for children in hospitals and treatment facilities to emergency circumstances, Congress has never addressed seclusion or restraint for students in our nation's classrooms.

This is particularly harmful because, while more than 30 states including the Northern Marianas have enacted policies to limit classroom seclusion and restraint practices, these policies vary widely and at least 11 states have no policy at all. While the Northern Marianas Public School System requires the principal or his/her designee to

submit a detailed written report with justifications informing parents or guardians following the use of restraint or seclusion, in fact, in many states, parents aren't even notified if their child is restrained or placed in seclusion.

This is simply unacceptable.

That is why, to address this classroom crisis, we have introduced in past years the *Keeping All Students Safe Act*.

This bill, which I cosponsored, would keep students safe from seclusion and restraint practices by:

- Making it illegal for any federally supported school to seclude a child,
- Limiting schools to using physical restraint on a child only when it is necessary to protect other students and staff, and
- Better equipping school personnel with evidence-based strategies to proactively address challenging behavior.

Congress has a responsibility to protect students and school staff in the classroom, while also helping school districts build healthy school climates. Thus far, we have failed to do our part. Today's hearing is an important step towards ensuring that all students and educators—in all states and territories—spend their days in safe and healthy schools.

I look forward to our discussion today and yield to the Ranking Member, Mr. Allen.