

February 15, 2022

Guy Stephens  
338 Sachem Drive  
Lusby, Maryland 20657

**Senate Bill 0577:** Public Schools – Self-Contained Special Education Classroom – Use of Video Recording Devices

**Position:** Support

Members of the Education, Health, and Environmental Affairs Committee,

My name is Guy Stephens, and I am the founder and executive director of the Alliance Against Seclusion and Restraint (AASR). AASR is a community of over 17,000 parents, self-advocates, teachers, school administrators, paraprofessionals, attorneys, related service providers, and others working together to influence change in how we support children who may exhibit distressed behaviors. The mission of AASR is to educate the public and connect people who are dedicated to changing minds, laws, policies, and practices so that restraint, seclusion, suspension, expulsion, corporal punishment, and other abusive practices are eliminated from schools across the nation and beyond. Our vision is safer schools for students, teachers, and staff.

I am writing to you today because I am concerned that the civil rights of disabled children in schools across the state are being routinely violated. Children with disabilities make up about 12% of the total enrollment in our schools. However, disabled children with special education placements account for 93% of the physically restrained children and 98% of the children who are involuntarily forced into seclusion rooms in Maryland. Restraint and seclusion are often underreported, as has been documented by the Government Accountability Office (GAO). Nonverbal students and those with significant cognitive disabilities are particularly vulnerable. The use of restraint and seclusion can lead to trauma, injuries, and even death. I am not alone in my concern that the disproportionate use of restraint and seclusion can be an

indicator of civil rights violations. In 2016, the U.S. Department of Education's Office for Civil Rights issued guidance to inform school districts that the use of restraint and seclusion may result in discrimination against students with disabilities.

As you are likely aware, Frederick County Public Schools (FCPS) was recently investigated by the Department of Justice (DOJ). The DOJ's investigation found that the school district unnecessarily and repeatedly secluded and restrained students as young as five years old in violation of Title II of the Americans with Disabilities Act (ADA). This led to a settlement agreement under which Frederick County will end the use of seclusion, overhaul its restraint practices, and train staff on the use of appropriate behavioral interventions for students with disabilities. It is also my understanding the FCPS plans to put cameras in all special education classrooms. This is something that should be happening across the state.

I am writing to express our support for Senate Bill 0577 because we believe that we can and must do better for students, teachers, and staff in our schools. The data show that disabled students in Maryland schools are disproportionately being restrained, secluded, and subjected to aversive discipline. This is not only a significant problem, but it is a civil rights issue. I believe that cameras in our self-contained special education classrooms can provide necessary accountability and oversight.

While cameras are not the answer to every issue, we believe they can be a valuable tool to ensure safe, transparent and accountable schools. Thank you for your time today. I hope you will support this legislation to make our classrooms safer for all.

Respectfully,



Guy Stephens  
Founder and Executive Director  
Alliance Against Seclusion and Restraint