

Dept. of Justice: AG Kaul Urges Federal Passage of the Keeping All Students Safe Act

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MADISON, Wis. – Attorney General Josh Kaul, with a coalition of 17 attorneys general, urged Congress to pass the Keeping All Students Safe Act (KASSA), which makes it illegal for any school receiving federal funds to place children in seclusion or use dangerous restraint practices.

“Every student should be able to attend school in a safe environment,” said Attorney General Kaul. “This legislation would make kids safer, and it should be passed into law.”

In today’s letter to Congressional leadership, the coalition argues that isolated confinement and the restraint practices banned by the KASSA are inherently dangerous behavior interventions that may exacerbate existing mental health conditions and cause emotional trauma, serious physical injury, and even death to youth in schools.

Although seclusion and restraint are intended to be measures of last resort, the coalition explains that they are often imposed in the absence of imminent danger of serious physical harm to punish or discipline students, compel compliance or retaliate for non-compliance, or for convenience of staff. Reports have revealed that thousands of children each year, some as young as five, are locked away alone in empty rooms for misbehaving, in some instances for hours at a time, for infractions as minor as spilling milk or refusing to do class work. Similarly, it has been reported that children have been physically restrained in ways that restrict their breathing or otherwise harm them.

Under the KASSA, any school receiving federal funds will be prohibited from secluding children or using mechanical, chemical, or physical restraint practices that are life threatening or restrict breathing, including prone and supine restraint. In recognition of the disproportionate use of these interventions on students with disabilities, the bill also prohibits the use of physical restraint that is contraindicated by a student’s disability or educational plan.

States will be required to implement the law by collecting and analyzing data, establishing policies and procedures to ensure compliance, and improving schools’ climates and cultures by implementing positive behavior interventions and supports. The bill provides support to states by authorizing federal grants, to be awarded for three-year periods based on relative need. Additionally, federal funds could be withheld from school systems that violate the statute, in order to hold these school systems accountable and ensure students are protected.

Joining Attorney General Kaul in the letter are the attorneys general of Connecticut, District of Columbia, Illinois, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Mexico, New Jersey, New York, Oregon, Pennsylvania, Vermont, Virginia, and Washington.

[Read the letter.](#)

Press release: <https://www.doj.state.wi.us/news-releases/ag-kaul-urges-federal-passage--keeping-all-students-safe-act>