

Good morning ASD staff and families,

Every student's safety must be our first and foremost priority to ensure our schools are positive learning and growing environments. I am writing about a settlement agreement that we have entered into for the betterment of our students.

When I started as your superintendent, I was briefed on an on-going investigation by the United States Department of Justice's (DOJ) Civil Rights Division. It centered on the District's use of seclusion and physical restraint practices between July 2018 and November 2020.

Seclusion and restraint are outdated techniques still used by some districts across the nation with the intent to de-escalate dangerous student behavior and protect the safety of students and staff. ASD had been using these authorized practices for decades. However, we now know that there is limited evidence that these practices support students' mental health, or improve behavior.

I went into a seclusion room myself to understand how we got here; it was clear we needed to change course. It is my view that seclusion needs to be eliminated not only in our district but nationwide. I instructed my team to immediately begin investing in training and changes to infrastructure. The goal is to replace seclusion rooms with better alternatives that more appropriately support students in distress as well as promote safe and positive learning environments.

The DOJ has now concluded its investigation and alleges that ASD violated Title II of the Americans with Disabilities Act (ADA). While we disagree that anyone at ASD discriminated against students with disabilities, we agree it is time for a change. As a result, we entered into a [settlement agreement](#) with the DOJ. Our efforts to end the use of seclusion and reform the use of restraint will now include collaboration with the DOJ, an entity that has a shared view that these practices need to be eliminated in our country.

We have made a concerted effort to substantially decrease the use of seclusion by March 20th, 2023 and seclusion will be prohibited beginning next school year. Furthermore, physical restraint may not be used except in an emergency situation in which physical restraint is necessary to protect a student, a staff member and/or other people from imminent, serious, physical harm after other less intrusive, nonphysical interventions have failed or been determined inappropriate. Bottomline, we don't want anyone getting hurt.

Additional proactive steps include:

- Train and implement de-escalation strategies when responding to dangerous student behaviors.
- Implement Multi-Sensory De-Escalation Rooms (MSDR) to replace seclusion room use.
- Increase building level and District level oversight on restraint and seclusion use to allocate supports and training to professionals supporting students with behavioral needs.

- Hired a new Behavior Supports Administrator to implement programmatic changes described in the settlement agreement.
- Implement Classroom Wide Behavior Management plans.
- Dismantle seclusion rooms in ASD schools.
- Modify the use of physical restraint to conform to federal regulations and best practices.
- Provide documentation twice annually to the Department of Justice.
- Allow for a parent complaint procedure (through clarification of ASD's existing citizen complaint form).
- Provide training and professional development.
- Provide compensatory education for a group of eligible students.
- Modify Board Policy 5142.3 to be consistent with the settlement.

We understand you will have questions and concerns regarding seclusion and restraint practices as it pertains to your student. We've created a webpage which includes an FAQ section and a way for you to contact us. We have a citizen complaint form and invite you to bring any concerns about restraint and seclusion to our attention by submitting a complaint.

We are committed to making the changes. We will end the use of seclusion. We will reform the use of restraint. We will do better for our students.

Best,

Jharrett Bryantt, Ed.D.
Superintendent