



# Michigan Advocates

TO END SECLUSION AND RESTRAINT  
ENDSAR-MI.ORG

Dear Representative,

Every student can thrive and succeed when their individual needs are met and when educators are put in a position to meet each student's individual needs with calm confidence. Children and staff need to not only feel safe in schools, but also be in an environment that emphasizes safety, health, and well-being. This is not the case for so many children in Michigan--a recent Detroit Free Press series in 2022 highlighted that in recent years, thousands of Michigan students have experienced significant, traumatic disruptions to their learning through the practice of seclusion and restraint.

**We write today to express our concerns regarding the use of seclusion and restraint in Michigan schools and to ask you to commit to:**

- **Establishing clearer and higher standards for how our schools respond to crisis situations with students.**
- **Equipping our public education system to respond to crisis situations more safely and ultimately prevent them from ever occurring.**

As Michigan works to reverse recent trends of delayed learning, especially for children who receive special education services, our state has a compelling interest in extremely reducing the occurrence of seclusion and restraint in Michigan public schools. Seclusion and Restraint are dangerous and traumatic practices.<sup>i</sup> Not only is there no evidence that they are effective in reducing problem behaviors,<sup>ii</sup> but also there is evidence of deteriorated student-teacher relationships<sup>iii</sup> and increased behavior problems.<sup>iv</sup> The practices can also be denying students their rights to a Free Appropriate Public Education (FAPE).<sup>v</sup>

Michigan has made progress in attempting to limit the use of seclusion and restraint in Michigan schools. In 2016, the state of Michigan adopted Public Act 394 of 2016 which restricts the use of seclusion and restraint. This law was followed by the State Board of Education issuing policy and guidance to local school districts on how to limit seclusion and restraint in school settings.<sup>vi</sup> Unfortunately, **this law has not gone far enough both in protecting our students and in giving teachers much needed support and resources for dealing with children struggling to regulate themselves in their classrooms.** Michigan public schools have reported the use of seclusion and restraint on students almost 97,000 times since the state began collecting data in the 2017 school year.<sup>vii</sup>

In the fall of 2022, a group of Michigan parents formed Michigan Advocates to End Seclusion and Restraint (EndSaR) in response to these tactics being used with their own children in school. EndSaR has no funding, is 100% parent and self-advocate lead, and its agenda is truly non-partisan because it is about ensuring the safety, well-being, and ultimately school success of all of Michigan's children. EndSaR has seen first-hand the devastating impact that seclusion and restraint have on children. The Detroit Free Press series demonstrates this as well and we encourage you and/or your staff to read the series.<sup>viii</sup>

Specifically, EndSaR is asking you to provide leadership through your roles on the education committees both policy and appropriations to support the following:

- Increase the quality and quantity of data collection and ensure free public access to all data.
- Change the definition of "emergency situation" in MCL 380.1307h.
- Add all forms of involuntary seclusion to the "statement of prohibited practices" in MCL 380.1307b.

- Change the definition of “emergency physical restraint” in MCL 380.1307h.
- Secure funding to increase teacher education and support.
- Increase parent/guardian education and support.
- Secure funding to create state and ISD level monitoring system with crisis response teams at the state, ISD, and local school district levels.
- Secure funding for all schools to provide adequate sensory spaces and require that schools give at-risk students voluntary access to these spaces according to the guidelines.
- Publish guidelines for identifying and supporting at-risk students to prevent crisis situations.

These items have both policy and funding implications, and we stand ready to explain further about this issue and why focusing on these tactics and eliminating their use is part of the bigger effort **to ensure safety in our schools for all students**. Included with this letter is a position statement that provides further information about these proposed changes. Further, we are available to meet with you and/or your staff, testify, and overall meet with anyone you believe is appropriate who can provide legislative leadership on this issue.

In our own efforts to fully educate ourselves on how to change “things” in Michigan for all its children, we have been meeting with various organizations, groups, and leaders committed to children’s issues. They have agreed to sign-on to this letter and these organizations/individuals are listed in the signatory line.

Sincerely,



endsarinmichigan@gmail.com

Cassie Atallah, co-author, founding member of EndSaR and **Mom of Kai**,

Melissa Freel, author, founding member of EndSaR and **Mom of Ben**,

Amanda Thielen, co-author, founding member of EndSaR, and parent

Sunday Koffron Taylor, co-author, founding member of EndSaR, parent, and self-advocate

Mikki Boury, founding member of EndSaR and **Mom of Jonathan**

Jerbina Sturdivant, founding member of EndSaR, and **Mom of Jaylen**

Mathew Maritz, founding member of EndSaR, and parent

Heather Finch, founding member of EndSaR, and **Mom of Malcolm**

Alissa D, founding member of EndSaR, and parent

ORGANIZATIONS SIGNING ON AS OF April 26, 2023:



Macomb County Branch



ELIZABETH ABDNOUR LAW  
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## INDIVIDUALS SIGNING ON AS OF April 26, 2023:

Elizabeth	Abdnour	LaTrisha R	Lake
Colleen	Allen	Ashley	Lengyel
Sweta	Ashokkumar Alberta	Jessica	Lizardi
Daniel	Atallah	Lori	Lucas
London	Bell	Michelle	Malewitz
Sherri	Boyd	Ebony	Manuel
Alexis	Boyden	Ashlee	
Karen	Bressette	Amanda	Miller
Barbara	Byers	Erin	Miller
Rachelle	Crow-Hercher	Haylie L.	Miller, Ph.D.
Stacie	Davis	Judith	New
Michelle	Driscoll	Dorene	Philpot
Heather	Eckner	Margo	Pierce
Kim V.	Fairman	Amanda	Rhines-Poehlman
Crystal	Falik	Ricky L.	Robbins
Crystal	Francis	Jessica	Romanosky
Jillian	Gismondi	D.	Ross
Christine	Hancock	Julie	Singleton
Alexis	Hart	Loren	Smalley
Sara	Huvaere	QuanTahnece	Smith
Kimberly	Jones	Jessica	Stefanson
Sharon	Kelso	Guy	Stephens
Anna	Kerekes	Peri	Stone-Palmquist
Angela	Khater	Shemika	Taylor
Krystle	Klein	Angela	Tyszka
Allison	Koster	Dr. Leah	van Belle
Matt		Toby	Ward
Emily	Krause	Mark	Weiker, Esq.
Kathleen	Krause	Kat	Wolfe
Thomas	Krause		

i) "In fact, seclusion and restraint are dangerous and traumatic not only to the individuals subjected to these practices, but also for the staff implementing them." - U.S. Department of Health and Human Services: Substance Abuse and Mental Health Service Administration (SAMHSA) Brief #1

[https://www.samhsa.gov/sites/default/files/topics/trauma\\_and\\_violence/seclusion-restraints-1.pdf](https://www.samhsa.gov/sites/default/files/topics/trauma_and_violence/seclusion-restraints-1.pdf)

ii) Furthermore, there continues to be no evidence that using restraint or seclusion is effective in reducing the occurrence of the problem behaviors that frequently precipitate the use of such techniques." - U.S. Department of Education – Restraint and Seclusion: Resource Document page iii -

<https://sites.ed.gov/idea/files/restraints-and-seclusion-resources.pdf>

iii) "The forceful assertion of another person's will over one's own, along with the loss of control over one's body and environment, generates very negative emotions and has deep psychological and traumatic impacts on people." – Strategies to End Seclusion and Restraint: WHO Quality Rights Specialized Training

<https://www.jstor.org/stable/resrep27900.15>

iv) "Moreover, some studies indicate that seclusion and restraint use leads to an increase in the behaviors that staff members are attempting to control or eliminate."

- U.S. Department of Health and Human Services: Substance Abuse and Mental Health Service Administration (SAMHSA) Brief #1

[https://www.samhsa.gov/sites/default/files/topics/trauma\\_and\\_violence/seclusion-restraints-1.pdf](https://www.samhsa.gov/sites/default/files/topics/trauma_and_violence/seclusion-restraints-1.pdf)

v) A school's use of restraint or seclusion may have a traumatic impact on a student, such that even if she were never again restrained or secluded, she might nevertheless have new academic or behavioral difficulties that, if not addressed promptly, could constitute a denial of FAPE. That traumatizing effect could manifest itself in new behaviors, impaired concentration or attention in class, or increased absences, any of which could, if sufficiently severe and unaddressed, result in a denial of FAPE for that student." – Fact Sheet: Restraint and Seclusion of Students with Disabilities – U.S. Department of Education Office of Civil Rights -

<https://www2.ed.gov/about/offices/list/ocr/docs/dcl-factsheet-201612-504-restraint-seclusion-ps.pdf>

vi) A link to the policy can be found on Michigan Department of Education's Health and Safety page: <https://www.michigan.gov/mde/services/health-safety/topics/emergency-use-of-seclusion-and-physical-restraint-2/>

vii) From the 2017 school year until the first quarter of the 2022-2023 school year (which is the latest available data), Michigan schools have reported 96,825 total seclusions and restraints. - <https://www.mischooldata.org/districtschool-data-files>

viii) The first article of the series, called "Trapped & Traumatized," can be found on the Detroit Free Press Page:

<https://www.freep.com/in-depth/news/education/2022/10/12/seclusion-restraint-michigan-schools-tudents/69528037007/>