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**Washington, DC** – A lawsuit filed today alleges that students with disabilities in Fairfax County Public Schools (FCPS) experience unjustified discrimination, psychological trauma, and physical harm from the widespread and improper use of restraint and seclusion. The lawsuit claims that FCPS is violating federal law, and its own procedures, by indiscriminate use of restraint and seclusion techniques as punishment to silence, control, detain, and segregate students with disabilities. The suit was filed in federal court in the Eastern District of Virginia by families of four students with disabilities, the Council of Parent Attorneys and Advocates (COPAA), Autistic Self Advocacy Network (ASAN), and Communication FIRST. The law firms Brown, Goldstein & Levy, LLP, and Fluet Huber + Hoang, PLLC, are representing the plaintiffs.

According to the lawsuit, harsh, careless, and ineffective techniques have been systematically used on the students, whose ages range from 6 to 13, which serve no valid educational or safety purpose. In doing so, FCPS failed to employ well recognized standards, that limit or negate the use of physical restraints and placement in secluded cell like areas. The suit points out that physical restraints and seclusion are so inherently dangerous and traumatizing that many states specifically outlaw or limit their use and the U.S. Department of Education has heavily scrutinized and sought to regulate their application.

**Denise Marshall, executive director, COPAA:** “It’s disturbing that a student was restrained 745 times and students were placed in seclusion every single day. Unfortunately, the students named in this suit are not alone in these experiences. No child should be treated like this in school. Such repeated imposition of restraint and seclusion on students with disabilities is discriminatory and abusive and is clearly the failure to provide a meaningful and equitable education. Children who are subjected to or who witness this abuse on a daily basis are traumatized. Schools need to be safe environments that foster learning and treat each student with respect and dignity.”

**Sam Crane, legal director, director of public policy, ASAN:** “We are proud to stand with the families of Fairfax County by challenging the school district’s appalling record of seclusion and restraint of students with disabilities, for behaviors as trivial as refusing to do their homework. Use of restraint and seclusion is dangerous, traumatic, and unnecessary. It deprives students with disabilities of their fundamental rights to be free from violence and discrimination at school and to learn alongside their peers. And although it is unacceptably common in schools across the country, many other schools have successfully eliminated the use of seclusion and restraint. It is time for Fairfax County to follow these established best practices and build a safer school environment for all students. Our community deserves better.”

**India Ochs, board chair, CommunicationFIRST:** “Every student, regardless of whether they have a disability, has the right to be educated and to feel safe at school. Students who are unable to speak and have been denied access to effective, robust augmentative and alternative communication (AAC) tools and strategies are disproportionately segregated, restrained, and secluded. Without an alternative way to express their thoughts, needs, and desires, students have no choice but to communicate with their behavior. Nonspeaking students should not be further discriminated against and punished for attempting to communicate.”

***The Council of Parents Attorneys and Advocates (COPAA)*** is an independent, nonprofit organization of parents, attorneys, advocates, and related professionals; over 90% of whom identify as having a disability; or are parents of family members of individuals with disabilities. COPAA members nationwide work to protect the civil rights and secure excellence in education on behalf of the 7 million children with disabilities in America. COPAA's mission is to serve as a national voice for special education rights and is grounded in the belief that every child deserves the right to a quality education that prepares him or her for meaningful employment, higher education and lifelong learning, as well as full participation in his or her community. [copaa.org](http://copaa.org)

***Autistic Self Advocacy Network (ASAN)*** seeks to advance the principles of the disability rights movement with regard to autism. ASAN believes that the goal of autism advocacy should be a world in which autistic people enjoy equal access, rights, and opportunities. We work to empower autistic people across the world to take control of our own lives and the future of our common community and seek to organize the autistic community to ensure our voices are heard in the national conversation about us. Nothing About Us, Without Us! [autisticadvocacy.org](http://autisticadvocacy.org)

***CommunicationFIRST*** is the only nonprofit organization dedicated to protecting and advancing the civil rights of the more than 5 million people of all ages in the United States who, due to disability or other condition, are unable to rely on speech alone to communicate. Our mission is to educate the public, advocate for policy change, and engage the justice system to protect and advance the human and civil rights of our historically marginalized community. [communicationfirst.org](http://communicationfirst.org)