

Congress of the United States

Washington, DC 20510

July 22, 2019

The Honorable Betsy DeVos
Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Secretary DeVos:

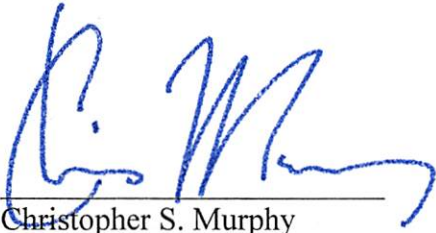
We write to urge you to immediately implement the Government Accountability Office's (GAO) four recommendations from their report entitled "Education Should Take Immediate Action to Address Inaccuracies in Federal Restraint and Seclusion Data". This report revealed alarming underreporting and data inaccuracies in the 2015-16 Civil Rights Data Collection (CRDC) regarding seclusion and restraint incidents. The CRDC is a widely used data set and the federal government has an obligation to ensure its accuracy. Given that the Department is in the process of collecting data for the 2017-18 CRDC, it is paramount that the Department address these recommendations immediately in the current data collection.

While we understand that many districts already submitted their data for the 2017-18 collection, the Department must implement the GAO's four recommendations for the current data collection, including reminding districts of the distinction between reporting a zero and leaving the cell blank. As the report notes, "While we appreciate that most districts have already submitted data for 2017-18, Education allows districts a significant period of time in which to correct errors." Thus, there is still a window for districts to correct any errors and improve data accuracy before any final publication next year. The recommendations must be made to ensure the 2017-18 data is accurate given GAO's findings; otherwise, the Department will knowingly be publishing inaccurate data. Additionally, if these issues are not addressed now, it will be years before these reforms can be made as, after 2020, the CRDC will not be published again until 2022.

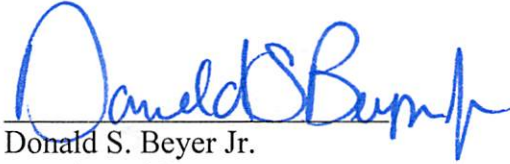
We appreciate that the Department is conducting compliance reviews, data quality reviews, and providing technical assistance to schools, but we cannot afford to compromise the integrity of this current data collection by failing to address the same quality concerns that have plagued past data collections. Far too often, students are injured and are traumatized when seclusion and restraint are used in schools, particularly students with disabilities, students of color, and boys. Parents and students have a right to a clear and accurate understanding of how often seclusion and restraint occurs in their districts and schools.

We urge you to immediately implement the GAO's recommendation. We request that you provide an explanation, including a timeline, for how you will implement these recommendations for the 2017-18 CRDC data collection. Please provide this explanation and timeline by August 5, 2019.

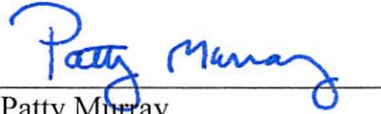
Sincerely,



Christopher S. Murphy
United States Senator



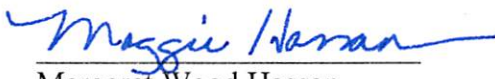
Donald S. Beyer Jr.
Member of Congress



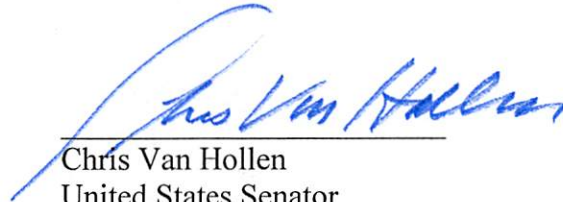
Patty Murray
United States Senator



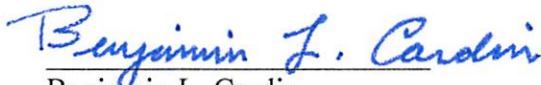
Robert C. "Bobby" Scott
Member of Congress



Margaret Wood Hassan
United States Senator



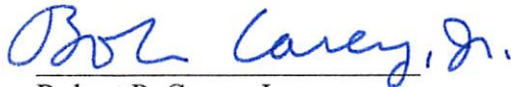
Chris Van Hollen
United States Senator




Benjamin L. Cardin
United States Senator



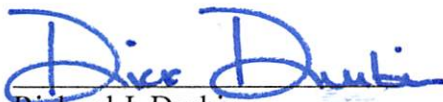
Richard Blumenthal
United States Senator



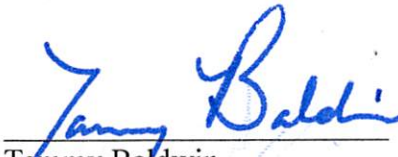
Robert P. Casey, Jr.
United States Senator



Tim Kaine
United States Senator



Richard J. Durbin
United States Senator



Tammy Baldwin
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Mark R. Warner
United States Senator



Lucille Roybal-Allard
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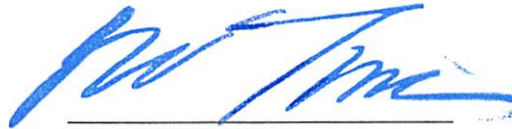
Eleanor Holmes Norton
Member of Congress



Cheri Bustos
Member of Congress



Danny K. Davis
Member of Congress



David Trone
Member of Congress



Bonnie Watson Coleman
Member of Congress



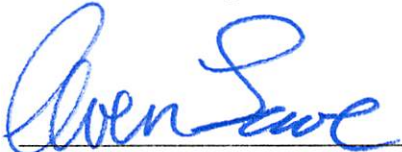
Sheila Jackson Lee
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Raúl M. Grijalva
Member of Congress



Ro Khanna
Member of Congress



Gwen Moore
Member of Congress



Seth Moulton
Member of Congress



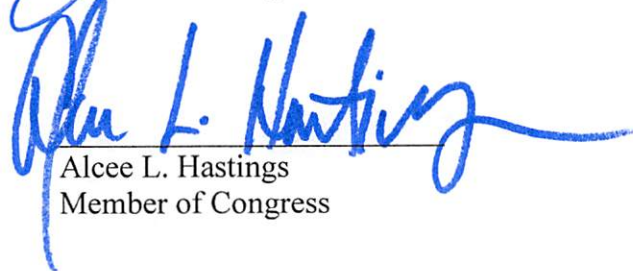
Chris Pappas
Member of Congress



Chuy García
Member of Congress



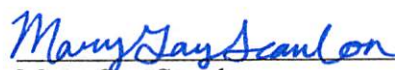
Susie Lee
Member of Congress



Alcee L. Hastings
Member of Congress

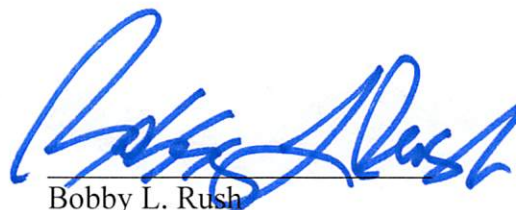



Rashida Tlaib
Member of Congress

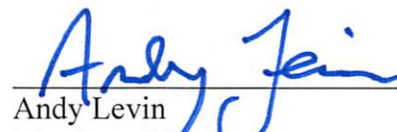



Mary Gay Scanlon
Member of Congress



Abigail Spanberger
Member of Congress


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Andy Levin
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