

Bazon Center Backs Evidence-Based Alternatives to Increased Law Enforcement in Our Nation's Schools

Washington – March 28, 2013 – "The Judge David L. Bazon Center for Mental Health Law supports the enforcement of existing civil rights laws and the adoption of evidence-based practices, such as school climate plans that include school-wide positive behavior supports (SPBS), to keep our nation's children safe in school," stated Lewis Bossing, senior staff attorney with the Bazon Center for Mental Health Law. "The presence of armed law enforcement officers in schools has not been shown to reduce school violence, but has been shown to result in the disparate discipline and criminal justice system involvement of children with disabilities, particularly those with mental disabilities," stated Bossing.

Existing civil rights laws, including the Individuals with Disabilities Education Act, the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, require schools to identify and serve children with disabilities, including those who struggle with problem behaviors, at an early age. Ensuring that these key laws are enforced, and that resulting services are funded, will lead to positive outcomes for all children.

School climate plans that include school-wide positive behavior supports are evidence-based practices aimed at increasing student learning while preventing problem behaviors through positive reinforcement. SPBS include intensive and individualized services for children with significant mental health needs. Successful SPBS are implemented by teachers, school medical professionals, and administrators who work with students inside and outside the classroom to ensure a safe, positive learning environment for all.

In contrast, armed law enforcement officers approach problem behaviors from a law enforcement perspective. Their presence when a child with a disability is struggling with problem behaviors may make such a situation less safe for everyone, and may result in unwarranted and in some cases unlawful discipline, an undermining of school climate generally and positive behavior supports in particular, and the child being pushed out of school and into the criminal justice system. Much of this can happen before experienced school staff can intervene.

"A disproportionate number of children with mental disabilities already enter the criminal justice system each year," stated Emily Read, staff attorney with the Bazon Center for Mental Health Law. "Many never return to school. We want to keep children safe and make sure they stay in school. The best way to achieve this is to implement evidence-based practices, such as school climate plans that include SPBS, that increase learning and safety," stated Read.