

Bazelon Center Calls on Congress to Enact Federal Standards on Restraint and Seclusion in Schools and to Prioritize Proven, Positive Alternatives

Washington—July 12, 2012—The Judge David L. Bazelon Center for Mental Health Law applauds Chairman Tom Harkin (D-Iowa) and Ranking Member Michael Enzi (R-Wyo.) of the Senate Health, Education, Labor and Pensions (HELP) Committee for holding today's important hearing, "Beyond Seclusion and Restraint: Creating Positive Learning Environments for All Students."

"Our nation's schools must prioritize proven, positive approaches to improving student behavior and success, rather than relying on the inherently dangerous methods of restraint and seclusion," stated Robert Bernstein, Ph.D., president and CEO of the Judge David L. Bazelon Center for Mental Health Law. "All children in our nation's schools deserve to be protected from the use of restraint and seclusion in non-emergency situations to avoid the significant risk of physical and psychological harm."

"In 2009, the Government Accountability Office found widespread incidence of significant injury, trauma and death due to restraint and seclusion in school," stated Laurel Stine, director of federal relations for the Bazelon Center. "Today, America has a patchwork of state laws on the use of restraint and seclusion in school settings that is failing our children."

"Over ten years ago, Congress passed national minimum standards to safeguard children and adults requiring treatment in hospitals and other health care settings," Stine added, "and Congress must do so for children in our nation's schools—without delay."

The Bazelon Center calls on the Senate HELP Committee to mark-up The Keeping All Students Safe Act (S. 2020) as soon as possible, and on Congress to pass the bill this year. The Keeping All Students Safe Act includes, among other provisions, national minimum safety standards on the use of restraint and seclusion in schools, and encourages adoption of school-wide positive behavior interventions and supports (PBIS), which help cultivate safer learning environments and help reduce the use of restraint and seclusion.

"We owe it to our nation's children to make school a healthy, safe place in which to learn and thrive," stated Bernstein. "The Keeping All Students Safe Act is an integral part to that equation."

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The Judge David L. Bazelon Center for Mental Health Law (www.bazelon.org) is the leading national legal-advocacy organization representing people with mental disabilities. It promotes laws and policies that can enable people with serious mental illnesses or intellectual disabilities to exercise their life choices and access the resources they need to participate fully in their communities.

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