

Preventing Harmful Restraint and Seclusion in Schools Act

In 1998, Senator Christopher Dodd learned of an eleven-year-old boy from Connecticut who died at a psychiatric hospital after he was restrained face-down in a position that restricted his air flow.

Since that day, Senator Dodd has been deeply committed to protecting children from harmful restraint and seclusion. With his leadership, the Children's Health Act of 2000 included strong language that established clear guidelines to protect against the misuse of deadly and harmful practices of restraint and seclusion in certain hospitals and residential facilities. Unfortunately, this language did not cover schools and over the years, Senator Dodd has continued his work to include schools under the law.

This issue continues to demand immediate action. Earlier this year, Senator Dodd pledged to take such action, and by introducing this legislation, he takes the first step to ensuring that all children in schools are safe from harmful restraint and seclusion.

Bill Summary

Failure to provide clear guidance on harmful seclusion and restraint has resulted in the physical injury, psychological trauma, and death of children in schools. The *Preventing Harmful Restraint and Seclusion in Schools Act* will establish minimum standards for the use of restraint and seclusion in schools. It will also support educators and schools by providing resources for training and support. Finally, it will improve data collection and identification of effective practices to prevent harmful restraint and seclusion in schools.

The Prevention of Abusive Restraint and Seclusion in Schools Act will:

- Prohibit the use of mechanical restraint, chemical restraint, physical restraint that restricts air flow to the lungs, and any other aversive behavioral intervention that compromises health and safety.
- Prohibit the use of restraint and seclusion in schools unless the student's behavior poses an immediate danger of physical injury and less restrictive interventions would be ineffective.
- Require adequate training for school personnel imposing restraint and seclusion.
- Require immediate parental notification and a school debriefing following each incident of restraint or seclusion.
- Require states to create a state plan that incorporates the minimum standards and report annually on the number of incidents of restraint and seclusion.
- Provide competitive grants to assist with developing and implementing the state plan, providing training and certification to school personnel, and implementing positive behavioral supports to further prevent restraint and seclusion.

Organizational Support

American Federation of Teachers (AFT), Association of University Centers on Disabilities, Children and Adults with Attention Deficit/Hyperactivity Disorder, Council for Exceptional Children, Council on Parent Attorneys and Advocates, Easter Seals, Families Against Restraint and Seclusion, Family Alliance to Stop Abuse and Neglect, National Association of Councils on Dev. Disabilities, National Center for Learning Disabilities, National Disability Rights Network, National Disability Rights Network , National Down Syndrome Congress, National Down Syndrome Society, National Education Association (NEA), National School Boards Association, Respect ABILITY Law Center, TASH, The Arc of the United States, The Bazelon Center for Mental Health Law, The National Alliance on Mental Illness