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***Physical Restraint and Seclusion Should be Limited to Emergencies,
Special Educators Say***

CEC member to brief Congress on interventions that minimize use of restraint & seclusion

Arlington, Va., Feb. 12, 2014 – Recommendations from the **Council for Exceptional Children (CEC)** and its division, the **Council for Children with Behavior Disorders (CCBD)**, played a key role in legislation introduced in the U.S. Senate today that aims to protect children from misuse of restraint and seclusion procedures.

The *Keeping All Students Safe Act*, introduced by U.S. Sen. Tom Harkin (D-Ia.), chairman of the Senate Health Education Labor Pensions Committee, takes significant steps toward ensuring students with disabilities receive behavioral interventions that emphasize preventing behavioral crisis and de-escalation strategies, and only employ restraint procedures in emergency situations when there is imminent danger of serious physical harm to the child or others.

“CEC commends Sen. Harkin for his leadership on behalf of children with disabilities, their families and the professionals who work on their behalf,” said CEC President Robin D. Brewer. “Restraint and seclusion procedures should not be viewed as a discipline tactic, therapeutic treatment, or planned intervention. Children with complex needs rely on skilled, trained professionals who develop partnerships with families and use evidence-based strategies that are humane and treat children with dignity.”

Brewer went on to say that as the leading professional organization for special educators, CEC pledges to work with the field to assist in the implementation of evidence-based practices that will ensure that all students are protected from extreme and inappropriate use of physical restraint and seclusion in schools.

The legislation acknowledges the importance of investing in high-quality professional development for all school personnel, including special educators, to learn and implement system-wide prevention techniques and supports that emphasize positive behavioral interventions and supports (PBIS), which research has shown to be effective in addressing challenging behaviors.

CEC member Michael George, Director of the Centennial School of Lehigh University, which serves children and youth with emotional disabilities and autism, briefed Congress today at Senator Harkin’s request to share how using a school-wide positive and proactive approach is an effective practice for addressing challenging behaviors. George said that after implementing positive behavioral interventions and supports, Centennial reported only three incidents of restraint last year, along with significant decreases in suspension rates, contact with law enforcement, and truancy.

Additionally, CEC is pleased to see the legislation reinforce the school-family partnership, a hallmark of special education, by adding measures that require schools to notify parents within 24-hours of the use of restraint procedures.

While the *Keeping All Students Safe Act* includes numerous provisions supported by CEC, it also proposes key policy changes of concern to CEC, including amending the Individuals with Disabilities Education Act (IDEA) to support a direct pathway to civil litigation, circumventing the due process procedures that have been crafted to emphasize mediation prior to litigation. Additionally, CEC is concerned that a provision of this legislation would allow states with relevant state laws to keep restraint and seclusion on a student's IEP for emergency purposes, CEC has long advocated against these procedures being used as a planned intervention.

In 2009, CEC released its Position on Physical Restraint and Seclusion Procedures in School Settings to provide schools with alternative procedures which can be used to help staff in emergency situations.

Many of the recommendations in the statements, the result of CEC's work, are key elements of the legislation, including that:

- States receive assistance in offering and monitoring trainings programs.
- Support for the implementation of preventative school-wide measures like positive behavior intervention is provided.
- Parents be notified following an incident.

The Council for Exceptional Children (CEC) is an international community of educators who are the voice and vision of special and gifted education. CEC's mission is to improve the quality of life for individuals with exceptionalities and their families through professional excellence and advocacy. Visit us at www.cec.sped.org.



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