

## Resolution of 2010 SILC Congress

### Seclusion and Restraint

WHEREAS, historically, persons with disabilities have been marginalized, stigmatized, and deprived of opportunities and freedoms afforded to individuals without disabilities; and

WHEREAS, seclusion and physical restraint have resulted in physical injury, psychological trauma, and death to children in public and private schools. National research shows children have been subjected to inappropriate seclusion and physical restraint in schools as a means of discipline, to force compliance, or as a substitute for appropriate educational support, and

WHEREAS, children are protected from inappropriate physical restraint and seclusion in other settings, such as hospitals, health facilities, and non-medical community-based facilities. Similar protections are needed in schools, yet such protections must acknowledge the differences of the school environment, and

WHEREAS, The National Disability Rights Network released a report in January, 2009, showing an unsettling use of seclusion and restraint tactics, which resulted in physical and emotional injuries as well as deaths, in schools affecting students from grades K-12; and

WHEREAS, The House of Representatives Committee on Education and Labor held a congressional hearing in May, 2009 taking testimony from families who children had been subjected to these practices; and

WEHREAS, The General Accounting Office released a report highlighting the trends on using restraint and seclusion in educational settings; and

WHEREAS, Congressman Miller and Congresswoman McMorris Rodgers have introduced H.R. 4247, entitle, "To prevent and reduce the use of physical restraint and seclusion in schools Act", and Senator Dodd has introduced S. 2860 a companion bill for H.R. 4247.

BE IT THREFORE RESOLVED that the 2010 SILC Congress fully supports H.R. 4247 and S. 2860.

Submitted by Michigan SILC