



**STATE OF CONNECTICUT**  
**OFFICE OF PROTECTION AND ADVOCACY FOR**  
**PERSONS WITH DISABILITIES**  
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Testimony of the Office of Protection and Advocacy  
for Persons with Disabilities  
Before the Committee on Children

Presented by: Craig B. Henrici  
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Good morning and thank you for this opportunity to comment on **Raised Senate Bill 927, AN ACT CONCERNING SECLUSION AND RESTRAINT IN SCHOOLS.**

The Office of Protection and Advocacy for Persons with Disabilities is proud to be a member of an interagency working group focused on eliminating restraint and seclusion use. The other member agencies on the working group are: the Departments of Public Health; Developmental Services; Mental Health and Addiction Services; Children and Families; Corrections; Court Support Services Division; Office of the Child Advocate; Developmental Disabilities Council; and the State Department of Education.

Each year, advocates in our Office handle hundreds of requests for assistance from parents of special education students who have experienced the use of restraint and seclusion. In many cases the problems these students confront can be traced to the fact that the educational plan for the child is not based on his or her individual needs but on educational practices and beliefs that physical control of a child will change challenging behavior. Our experience teaches us that not only children but service providers are harmed by these procedures. It is well known that a reliance on restraint and seclusion perpetuates trauma in children and adults. Imposed restraint and seclusion does not have any positive value in modifying behavior. In fact, the successful use of positive behavioral strategies actually change challenging behavior without the use of aversive controls.

Examples and expertise exist in our state that have actualized the intent of this committee to protect the children who experience restraint and seclusion. Cedarhurst School, a prominent State Department of Education Approved Special Education School in Connecticut, is one of several schools that decided to ban the use of seclusion and restraints and in its place provide a culture of support to students with disabilities by making a commitment to change by supporting staff and student development. The school culture was changed. The fact that no incidents of seclusion or restraint were reported to SDE last year is a dramatic demonstration of this school's commitment to serve our children in a better way.

The University Of Connecticut Neag School Of Education operates a program funded by the Office of Special Education Programs, US Department of Education. The National Center on Positive Behavioral Interventions and Supports provides technical assistance of evidence-based behavioral interventions and systems for preventing problem behavior and supporting academic achievement and social competence for all students. This program is managed by Dr. George Sugai, one of the country's foremost authorities on emotional disorders, behavioral disorders, and positive behavior supports. At a time when schools are under

mounting pressure to increase test scores, evidence-based research like Dr. Sugai's shows a definitive link between academic achievement and school environment. Although much of his early work has emphasized improving individual student behavior, during the last decade he has shifted his attention toward understanding and affecting behavioral systems at the whole-school, district and state levels.

We have the knowledge and we have the experience and we have the resources. The Office of Protection and Advocacy supports Raised Senate Bill 927 as an opportunity for leadership by the legislature to provide the incentive.

I would also urge you to consider amending the bill to include one more feature: the elimination of the existing statutory language (C.G.S. Sec. 10-76) and regulations which allow the planned use of seclusion to be written into a special education student's Individual Education Program (IEP). This provision is inconsistent with the intent of this proposed legislation. The practice of involuntary seclusion – placing a child into a room and not letting that child out – is not considered to be an effective "evidence based practice". It is far more likely to produce resentment, psychological trauma and even physical injury. Giving statutory permission to write a plan for seclusion into an IEP suggests that this practice has some kind of legitimate educational value. It encourages school personnel to rely on seclusion as a means of managing its environments. A number of other states have banned the use of seclusion as a planned part of student's educational programs, and some have even banned its use altogether.

This bill closes the door on the use of restraint and seclusion as an acceptable practice. It closes the door on failed educational and treatment practices. It opens the door to safeguarding our children and protecting their human dignity.

Thank you for your attention and interest. If there are any questions, I will try to answer them.