



Keeping All Students Safe Act of 2014 (S. 2036, H.R. 1893)

Talking Points on Restraint and Seclusion

The Business Case

Liability Costs

- Organizations that serve people with serious behavioral problems have reported substantial liability costs associated with these practices (worker's compensation costs, policy premiums, fines, and/or settlement awards).
- Some private insurers limit compensation when these practices result in death or serious injury.
- Behavioral health professional associations are seeking to reduce these practices due to cost as well as the deleterious impact on the individual and staff (National Association of State Mental Health Program Directors [NASMHPD] National Association of School Psychologists [NASP], and more).

Organizational Costs

- Significant staff time is spent managing these procedures. One study in a state facility found that restraint use took up 23% of staff time and \$1.4 million in staff related costs, nearly 40% of the operating budget.
- Staff injury, absenteeism, workers compensation, and turnover are lower in organizations that reduce these practices. For example, Florida State Hospital in Chattahoochee reduced restraint and seclusion by 54% and saved \$2.9 million from reduced workers compensation, injury, and other costs.

Parents' Rights

- Parents should have the right to know if their child has been restrained or secluded in school.
- Presently, many states are not required to provide this information, much less seek permission.

Unfair Exclusion

- Patients in health care facilities and psychiatric residential treatment facilities have protections that students in school do not.

Low Cost Solution

- There are existing free curricula and other staff training resources on proven alternatives to restraint and seclusion. For example, <https://www.pbis.org/>; and IDEA funding (Title II for example) for teacher development.

Common Sense Solution

- Allow these practices only when they are truly needed – in emergency situations when health and safety are at risk.