

Talking Points on Restraint and Seclusion

National experts refer to seclusion and restraint as safety procedures in which a student is isolated from others (seclusion) or physically held (restraint) in response to serious problem behavior that places the student or others at risk of injury or harm (Rob Horner and George Sugai, 2009).

Guiding Principles USDoE in May 2012 (“Restraint and Seclusion: A Resource Document”). These guiding principles were referenced three times at the Ed Committee’s last hearing on 9/21/15 (i.e., by Anita Thomas, in the opening information she prepared and reviewed with the committee; by Valerie Bakken, who provided testimony on behalf of the Dept of Public Instruction; and by Christine Hogan, who provided testimony on behalf of the Protection and Advocacy Project). BPS has been proactive on understanding and implementing recognized and have been following the national conversation since 2009.

1. Every effort should be made to prevent the need for the use of restraint and for the use of seclusion. BPS continues to work hard at establishing a proactive systems approach that includes the following:
 - Providing training on de-escalation techniques: Example: Crisis Prevention Institute(CPI)
 - Providing training on the development and implementation of functional behavior assessments and behavior intervention plans
 - Establishing multi-tiered systems of support that incorporate schoolwide approaches and data-based decision making, curriculum to teach students social skills and coping strategies, and establishing systems that are intentional about keeping students connected and engaged with peers and adults at school
 - Having well-developed policies and procedures so that staff know the expectations, there is accountability for seclusion or restraint when it is used, parents are involved in the process, and data is collected to inform district practice
2. Mechanical and chemical (psychotropic medication) restraints are not allowed. Even if allowed, BPS would not endorse these.
3. Any behavioral intervention must be consistent with the child’s rights to be treated with dignity and to be free from abuse.
4. Physical restraint or seclusion should not be used except in situations where the child’s behavior poses imminent danger of serious physical harm to self or others. At BPS, we recognize that some children have not yet learned strategies to express how they feel or for how to cope with certain situations and become physically aggressive. Not all physical aggression is intentional and we as professionals, have an obligation to first keep students safe and then determine the function of the behavior and how best to intervene.
5. Restraint or seclusion should never be used as punishment or discipline, as a means of coercion or retaliation, or as a convenience. BPS has addressed this principle through updated district policy, on-going training, and our team planning processes.

6. There should be standards for the physical spaces that are used for seclusion (i.e square footage, observation capabilities, removal of outlets or dangerous items, ability to hear an alarm, ability for a student to egress etc.) BPS established guidelines for these spaces in 2011.
7. Policy restricting the use of restraint and seclusion should apply to all children, not just children with disabilities. BPS addresses this on page 1 of our updated policy. In addition, it is also addressed through on-going CPI training.

Critical Need for Policy

In order to ensure appropriate use of restraint and seclusion and to provide accountability to students and families, school districts must have a policy and procedures that ensure that:

- instances of restraint and seclusion are documented and reported to district administrators
- there is a regular review of those reports by district administrators to determine if there is repeated use of restraint and seclusion for an individual child; if there are multiple uses by a particular staff member, in a particular classroom, or in a particular school; and if the school staff considered other alternatives so that training can be provided as needed
- parents have been notified when restraint or seclusion has been used
- district procedures were followed

BPS adopted a policy that incorporates these elements in the summer of 2015.

As a district, we recognize that our work is on-going in this area and that there will always be room to grow and improve.