

Quick Facts on Restraint and Seclusion

What is Restraint and Seclusion?

According to the Virginia Department of Education, “**physical restraint**” means the use of any physical method of restricting an individual’s freedom of movement, physical activity, or to prevent a student from moving his/her body to engage in a behavior that places him/her or others at risk of physical harm.

According to the Virginia Department of Education, “**seclusion**” means the confinement of a student alone in a room from which the student is physically prevented from leaving.

According to the U.S. Department of Education (2012), “physical restraint or seclusion should be reserved for situations or conditions where there is **imminent danger** of serious physical harm to the child, other children, or school or program staff. These procedures should not be used except to protect the child and others from serious harm and to defuse imminently dangerous situations in the classroom or other non-classroom school settings (p. 14-15, Restraint and Seclusion Resource Document).”

Virginia is 1 of 10 States that relies solely on voluntary guidelines in our public schools.*

How Can You Help?



Please help by supporting HB 1443. In 2014, the Commission on Youth conducted a review on the use of restraint and seclusion in schools. The study determined that Virginia has no regulations in place to prevent school-aged children from being duct-taped to their desks or locked inside dimly-lit closets by their teachers.

At the October 2014 Commission on Youth meeting, parents highlighted the need for regulations and shared their children’s stories of being subjected to restraint and seclusion in school. Also, the Commission heard first-hand testimony from a 9-year old who was repeatedly put inside a storage closet by his principal. In November 2014, the Commission on Youth unanimously voted to introduce legislation to address this issue.

HB 1443 requires the Board of Education to adopt regulations on the use of seclusion and restraint in public elementary and secondary schools in the Commonwealth. The bill requires that such regulations incorporate certain existing guidance documents; include definitions of terms, criteria for use, restrictions for use, training requirements, notification requirements, reporting requirements, and follow-up requirements; and address distinctions between certain student populations.

The Patrons for HB 1443 include: Richard P. Bell (chief patron), Christopher K. Peace (chief co-patron), Hyland F. "Buddy" Fowler, Jr., and R. Steven Landes.

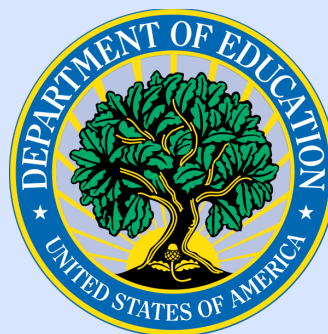
This document was prepared by the Coalition for the Improvement of School Safety [CISS]. CISS has the support of more than 40 organizations and promotes the need for meaningful regulations to protect students against restraint and seclusion.

For more information, please contact: Sean Campbell at mscampbe@vt.edu

* Please see Jessica Butler’s *How Safe Is The Schoolhouse? - An Analysis of State Seclusion and Restraint Laws and Policies* For more information, visit: <http://www.autcom.org/pdf/HowSafeSchoolhouse.pdf>

Fifteen Principles Outlined by the U.S. Department of Education in the Restraint and Seclusion Resource Document (May 2012)

1. Every effort should be made to prevent the need for the use of restraint and for the use of seclusion.
2. Schools should never use mechanical restraints to restrict a child's freedom of movement, and schools should never use a drug or medication to control behavior or restrict freedom of movement (except as authorized by a licensed physician or other qualified health professional).
3. 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 and other interventions are ineffective and should be discontinued as soon as imminent danger of serious physical harm to self or others has dissipated.
4. Policies restricting the use of restraint and seclusion should apply to all children, not just children with disabilities.
5. Any behavioral intervention must be consistent with the child's rights to be treated with dignity and to be free from abuse.
6. Restraint or seclusion should never be used as punishment or discipline (e.g., placing in seclusion for out-of-seat behavior), as a means of coercion or retaliation, or as a convenience.
7. Restraint or seclusion should never be used in a manner that restricts a child's breathing or harms the child.
8. The use of restraint or seclusion, particularly when there is repeated use for an individual child, multiple uses within the same classroom, or multiple uses by the same individual, should trigger a review and, if appropriate, revision of strategies currently in place to address dangerous behavior; if positive behavioral strategies are not in place, staff should consider developing them.
9. Behavioral strategies to address dangerous behavior that results in the use of restraint or seclusion should address the underlying cause or purpose of the dangerous behavior.
10. Teachers and other personnel should be trained regularly on the appropriate use of effective alternatives to physical restraint and seclusion, such as positive behavioral interventions and supports and, only for cases involving imminent danger of serious physical harm, on the safe use of physical restraint and seclusion.
11. Every instance in which restraint or seclusion is used should be carefully and continuously and visually monitored to ensure the appropriateness of its use and safety of the child, other children, teachers, and other personnel.
12. Parents should be informed of the policies on restraint and seclusion at their child's school or other educational setting, as well as applicable Federal, State, or local laws.
13. Parents should be notified as soon as possible following each instance in which restraint or seclusion is used with their child.
14. Policies regarding the use of restraint and seclusion should be reviewed regularly and updated as appropriate.
15. Policies regarding the use of restraint and seclusion should provide that each incident involving the use of restraint or seclusion should be documented in writing and provide for the collection of specific data that would enable teachers, staff, and other personnel to understand and implement the preceding principles.



For more information, visit the link below:
<http://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf>