

Restraint and Seclusion FACT Sheet

Proposed Regulation 704 KAR 7:160: Use of Restraint and Seclusion in Public Schools

Government and agency reports document abuse, injuries, and even deaths of children due to the misuse and abuse of restraint and seclusion in public schools. These same reports document that children with disabilities are disproportionately restrained and secluded and that children who cannot speak are at the highest risk. The U.S. Department of Education has issued 15 principles for states to consider as the framework for regulating the use of restraint and seclusion. KDE's proposed regulation fits perfectly within this framework.

Nevertheless, some organizations continue to object to efforts to limit the use of restraint and seclusion in schools. The evidence is clear—restraint and seclusion are ineffective behavior modification techniques that have potentially deadly consequences. The evidence is equally clear that reducing or eliminating restraint and seclusion produces positive outcomes for students, staff, and schools.

Restraint and seclusion are largely preventable.

The argument that restraint and seclusion are necessary is based on a failure to recognize that—for good or bad—adults' interactions with children drive their behaviors and that there is a direct connection between students' behavior and classroom practices. When those practices change, outcomes will change. For example, at the Centennial School in Bethlehem, PA, an alternative school for public school children aged 6 to 20 with the top 1% of chronic behavioral problems, restraints were reduced by 69% and seclusion time by 77% in the first year of implementing a program of positive interventions and supports. Fourteen years later, there were only three standing restraints—each less than one minute—during the entire 2011-12 school year. While eliminating restraints entirely may not be possible, implementing alternate interventions can reduce restraints to negligible numbers.

Restraint and seclusion are not effective methods of changing behavior.

Restraint and seclusion are aversive techniques that are useful only in the very limited context of immediately stopping dangerous behavior. They are not evidence based practices and there is no data to suggest that either of these techniques reduce violent or uncontrolled behavior. To the contrary, behavioral research indicates that restraint and seclusion actually cause, reinforce, and maintain aggression and violence! In contrast, there is over 30 years of data supporting the efficacy of positive behavioral interventions and supports for reducing incidents of problem behaviors. Not only are these alternate interventions better at effecting behavioral changes, but as teachers reduce the amount of time spent managing behavior, there is a corresponding increase in instructional time—and a corresponding increase in academic outcomes for all students.

Reducing restraint and seclusion decreases staff and student injuries.

Contrary to fears that reducing restraint and seclusion in schools will place staff and students at a higher risk of injury, studies of schools that have reduced or eliminated the use of restraint and seclusion show a significant reduction in injury rates to staff and students. Staff injuries at the Centennial School were reduced by 50% during the first year of restraint and seclusion reduction efforts. The Grafton School, in Massachusetts, reduced restraint use by 99.8% and reduced staff injuries by 41.2%. One study of a Florida psychiatric hospital found that the use of restraint and seclusion actually increased the risk of injury to staff and patients by 60%! Contrary to assertions that restraint and seclusion are necessary to ensure school safety, the data shows that these practices actually compromise school safety.

Reducing restraint and seclusion saves money.

The use of restraint and seclusion comes at a high cost. Not only in terms of physical injuries and trauma these techniques can impose on staff and students, but restraint and seclusion have real costs associated with staff time, replacement staff, staff training, workers' compensation, healthcare utilization, insurance premiums, property destruction, and legal expenses. The Grafton School has seen reductions in: staff turnover by 10% (estimated annual savings of \$500,000); employee lost time and lost time expenses by 94%; workers' comp claims by 50%; and reduced liability premiums by 21%. This totals a cumulative savings in excess of \$1.2 million directly attributable to the virtual elimination of restraints.

The regulation doesn't tie teachers' hands!

The proposed regulation limits the use of restraint and seclusion and prohibits potentially deadly restraints. The regulation does not prevent teachers from breaking up fights or prohibit teachers from intervening and addressing negative or challenging behaviors. It does not require teachers to just sit back and watch when students destroy property. It does not even prohibit the use of restraint and seclusion entirely. The proposed regulation does recognize restraint and seclusion as largely preventable and potentially injurious emergency interventions that are appropriate only in those instances where the risk of psychological and/or physical harm presented by restraint and seclusion is outweighed by the risk of physical injury posed by the child's behavior .

