



Missouri Developmental Disabilities Council
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Restraint and Seclusion in Schools

The Missouri Developmental Disabilities Council's Position:

Restraint, seclusion, and other aversive practices do not improve students' academic performance or behavior. Therefore, schools should only use them when there is grave and immediate danger to human life and all other alternatives have been attempted and proven ineffective.

The Missouri Developmental Disabilities Council's Reasons:

While schools often use restraint, seclusion, and other aversive practices in an attempt to control students or address behaviors, there is no evidence that they improve student behavior or academic performance.¹ To the contrary, several studies have found that students are more likely to learn and exhibit positive behavior when they are: (1) provided with consistent school and classroom routines and expectations; (2) given positive feedback and support; and (3) treated with respect.²

Nevertheless, a recent study found that students were restrained or secluded at least 267,000 times in the 2011-2012 school year.³ Worse, a survey found that almost 20% of school administrators approved of using restraint and seclusion to punish students.⁴ As the United States Department of Education found, "the use of restraint and seclusion can, in some cases, have very serious consequences, including, most tragically, death."⁵

To Missouri's credit, it has a law requiring schools to develop policies regarding the use of restraint and seclusion. However, that law lets schools define "restraint," "seclusion," and the times when those and other aversive practices are permitted.⁶ Furthermore, while the Missouri Department of Elementary and Secondary Education (MO DESE) has written a model policy on the use of restraint and seclusion, state law and policy do not require schools to use it or model theirs on it.⁷ Consequently, a student in one school may be subjected to restraint or seclusion (or a type of restraint or seclusion) that a student in another school would not.

The Missouri Developmental Disabilities Council's Recommendations:

- As a state and society, we must acknowledge that restraint, seclusion, and other aversive practices do not improve students' academic performance or behavior. Therefore, they should only be used in situations posing grave and immediate danger to human life and after all other alternatives have been tried and proven ineffective.
- Schools should never use restraint, seclusion, or other aversive practices for punishment, coercion, or convenience.
- Schools should never use mechanical restraints that restrict a child's freedom of movement or breathing or use any aversive practices that harm or could harm a child.
- Schools should never use or recommend medication to control behavior or restrict freedom of movement except under the direction and review of a licensed health professional qualified to prescribe and administer such medication.
- Teachers and other personnel should be trained regularly on the use of alternatives to restraint, seclusion, and aversive practices such as positive behavioral interventions and supports.
- All uses of restraint or seclusion should be reviewed to determine whether: (1) the school followed appropriate procedures; (2) the school used positive behavioral strategies before restraint or seclusion; and (3) additional training or revisions to policy and practice are needed. All such reviews should be documented in writing.
- Schools should consult with board certified behavioralists and other professionals to create policies and procedures designed to eliminate the use of restraint, seclusion, and other aversive practices.
- School policies regarding restraint, seclusion, and other aversive practices should have input from students and parents, apply to all students, be reviewed and updated regularly, and be provided to students and parents annually.
- School policies should require that all uses of restraint and seclusion be documented in writing and describe the reason for the use of restraint or seclusion and the alternatives that were attempted.
- Whenever a school secludes or restrains a student, it should inform his or her parents immediately.
- MO DESE should develop accountability standards to ensure that schools have appropriate policies restricting the use of restraint and seclusion and issue public reports on whether schools meet those standards.

References

1. e.g., Disability Rights Network of Pennsylvania (2014). Seclusion and Restraint of Students with Disabilities in Pennsylvania Schools (citing U.S. Senate Health Education, Labor, and Pensions Committee. (2014). Dangerous Use of Seclusion and Restraints in Schools Remains Widespread and Difficult to Remedy: A Review of Ten Cases). Available at: <https://www.disabilityrightspa.org/wp-content/uploads/2014/06/0614-Seclusion-and-Restraint-of-Students-with-Disabilities.pdf>
2. See, U.S. Department of Education. (2014). Restraint and Seclusion: Resource Document. Available at: <https://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf> (citing studies).
3. e.g., NPR News Investigations. (2014). National Data Confirm Cases of Restraint and Seclusion in Public Schols. Available at: <http://www.npr.org/2014/06/19/322915388/national-data-confirms-cases-of-restraint-and-seclusion-in-public-schools>
4. American Association of School Administrators. (2012). Keeping Schools Safe: Ensuring Federal Policy Supports School Safety. Available at: http://www.aasa.org/uploadedFiles/Policy_and_Advocacy/AASA-July-2012-Keeping-Schools-Safe.pdf
5. U.S. Department of Education, *supra* note 2.
6. See, RSMo 160.263
7. See, <https://dese.mo.gov/sites/default/files/Model%20Policy%20on%20Seclusion%20and%20Restraint.pdf>

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