



## Restraint and Seclusion

### What does MODDC think about restraint and seclusion?

**Aversives** are a kind of punishment done to people with disabilities. Aversives get used when someone wants a disabled person to stop doing something. The point of aversives is to make the person with a disability feel pain or uncomfortable.

Some examples of aversives are:

- Taking things away as punishment
- Making someone do things that other people don't have to
- Not letting someone do things other people get to
- **Restraint** - Doing something to stop someone else from moving. For example, a teacher holding a student down.
- **Seclusion** - Forcing someone to stay alone, away from everyone else. For example, locking someone in a dark room.

Sometimes, students with disabilities will have aversives used against them in school. Punishing students with restraint, seclusion, or other aversives can hurt or kill them. Schools should only use aversives in life or death situations. They should always try every other possible way to help first.

### The Missouri Developmental Disabilities Council's Reasons:

There is no proof that restraint, seclusion, and other aversives help people do better in school. However, there is proof that people learn and act better when they:

- Feel respected
- Have regular routines
- Understand all the rules
- Know what people expect of them
- Get told when they're doing well
- Get help when they're not doing well

The U.S. looked into cases of restraint and seclusion in school. They found out hundreds of students were secluded and restrained. Sometimes this abuse killed students.

Missouri says that some types of restraint and seclusion are against the law. Schools also have to make rules about when to use restraint and seclusion. Not everyone follows these rules. The state agency in charge of schools in Missouri is called MO DESE. MO DESE made their own rules about restraint and seclusion. They published them so schools could start using them.



The law doesn't say schools have to follow those rules. So, one school might restrain or seclude a student, but a different school might not.

### **What should Missouri do?**

- Missouri should say that restraint, seclusion, and other aversives don't help people do better in school. We should say that these things are only allowed in life or death situations. We should say it's only ok to do these things when there are no choices left.
- Schools should follow the laws about restraint and seclusion. Schools should never use restraint or seclusion to punish students or to make them behave.
- Schools should not try to control a student's behavior by giving them medication. If a doctor decides a student needs medication, the doctor should be in charge of it. Medication should never be the first choice to help students with disabilities.
- Schools should learn about positive ways to support their students. They should know what they can do instead of using restraint and seclusion.
- Students should have a say in school rules about restraint and seclusion. Students and their caregivers should be asked to share their thoughts once a year.
- When schools use aversives, they should say what else they tried first.
- Schools should debrief students and their caregivers after using aversives. This means having a meeting to talk about what happened. This should happen as soon as possible. Schools should help students understand why aversives were used. Schools should listen to students about how to avoid using aversives in the future.
- MO DESE should follow up after schools use aversives. These follow ups should check to see if:
  - The school followed its rules about when to use aversives.
  - The school tried other ways to help before using aversive.
  - The school needs extra training, or to make changes to its rules.

After investigating, MO DESE should write down what they find and share it with the public.



Missouri Developmental Disabilities Council  
[www.MODDCouncil.org](http://www.MODDCouncil.org)  
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## To Learn More

Hawley, C. (2020). No holds barred: The use of restrictive behavioral intervention in Missouri public schools. *Missouri Law Review*, 85(4), 1171; 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>

Department of Education. (2014). *Restraint and Seclusion: Resource Document*. Available at: <https://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf> (citing studies).

U.S. Government Accountability Office. GAO-09-719T. (2009). *Seclusions and restraints: Selected cases of death and abuse at public and private schools and treatment centers*.

<https://dese.mo.gov/media/pdf/model-policy-seclusion-and-restraint-0>

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