

Resources

Analyzing Risk: When is Physical Restraint and Seclusion Warranted in Schools?

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Updated 2-13-2019; R. Peterson

Our presentation slides and this resource sheet will be also available at:

<https://k12engagement.unl.edu/physical-restraint-seclusion-resources>

U.S. Congress

- Bill introduced in the 2018 Congress H.R. November 2018. This
 - <https://www.congress.gov/bill/115th-congress/house-bill/7124>
- Bills previously introduced in Congress include H.R. 1381, H.R. 2020 and H.R. 927
 - <https://www.govtrack.us/congress/bills/112/hr1381/text> and
 - <https://www.opencongress.org/bill/s2020-112/text>
 - <https://www.congress.gov/bill/114th-congress/house-bill/927>
- Every Student Succeeds Act - ESSA (December, 2015)

U.S. Department of Education Initiatives, Policies and Guidance

U.S. Department of Education Announces Initiative to Address the Inappropriate Use of Restraint and Seclusion to Protect Children with Disabilities, Ensure Compliance with Federal Laws (January 7, 2019)

<https://www.ed.gov/news/press-releases/us-department-education-announces-initiative-address-inappropriate-use-restraint-and-seclusion-protect-children-disabilities-ensure-compliance-federal-laws>

U.S. Department of Education, Office of Civil Rights. (2016, December). *Dear colleague letter on restraint and seclusion of students with disabilities*. Washington, DC: Author

U.S. Department of Education issued a publication that outlines principles for educators, parents and other stakeholders to consider when developing or refining policies and procedures to support positive behavioral interventions and avoid the use of restraint and seclusion. The document is available at:

<https://www2.ed.gov/policy/seclusion/restraint-and-seclusion-resource-document.html>

Duncan, A. (2009). *Letter to colleagues from the U.S. Secretary of Education*. Washington, DC: U.S. Department of Education. http://www.pbis.org/seclusion/restraint/arne_duncans_letter.aspx

References

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- Marx, T., & Baker, J. (2017). Analysis of restraint and seclusion legislation and policy across states: Adherence to recommended principles. *Journal of Disability Policy Studies*, 1-9, DOI: 10.1177/1044207317702069.
- Van Acker, E., Kane, E.J., Bricko, N., Peterson R. L. (In preparation). *A Study of Nebraska School District Policies on Physical Restraint and Seclusion: Executive Summary Report*. Lincoln, NE: Student Engagement Project, University of Nebraska-Lincoln. When completed it will be available here: <https://k12engagement.unl.edu/physical-restraint-seclusion-resources>.
- Scheuermann, B., Peterson, R.L., Ryan, J.B. & Billingsley, G. (2015). Professional Practice and Ethical Issues Related to Physical Restraint and Seclusion in Schools, *Journal of Disability Policy Studies*, September, 21, 2015. doi: 10.1177/1044207315604366. <http://dps.sagepub.com/content/early/2015/09/21/1044207315604366.abstract>

References Regarding- Inappropriate Use, Deaths, and Injuries from Restraint and Seclusion

- Eldeib, D. (2016, May 27). Teen's death at residential center emblematic of 'system problem': DCFS. *Chicago Tribune*. Retrieved from <http://www.chicagotribune.com/news/watchdog/ct-allendale-shaquan-allen-death-met-20160526-story.html>
- Iowa City schools must fix use of seclusion, state says. (June 06, 2017). *The Gazette*. <https://www.thegazette.com/subject/news/education/k-12-education/iowa-city-schools-must-fix-use-of-seclusion-state-says-20170606>.
- Kentucky Protection and Advocacy. (2016). *The near-death of Brennan Long: Autopsy of an abusive restraint*. Frankfort, KY: Author. Retrieved from <http://www.kypa.net/current-events.html>.
- Pillsbury and Disability Rights Legal Center. (September, 2017) Pillsbury and Disability Rights Legal Center Salute Settlement in Disability Rights Cases. <https://drlcenter.org/blog/2017/09/12/pillsbury-and-disability-rights-legal-center-salute-settlement-in-disability-rights-cases/>
- Report cites improper use of school seclusion rooms in Iowa. (June 7, 2017). *U.S. News and World Report*. Associate Press. <https://www.usnews.com/news/best-states/iowa/articles/2017-06-07/report-cites-improper-use-of-school-seclusion-rooms>.
- Samuels, C. (2017, June). Parents awarded \$900K after hidden cameras capture student restraint. *Education Week*.

Position Papers for Educators on Restraint and Seclusion:

- Council for Children with Behavior Disorders (CCBD) Position Summary on the Use of Physical Restraint Procedures in School Settings; and CCBD's Position Summary on the Use of Seclusion in School Settings. Both of these are available at: <http://www.ccbd.net/publications/positionpapers>
- Council for Exceptional Children Position on Physical Restraint and Seclusion-- <https://www.cec.sped.org/~media/Files/Policy/CEC%20Professional%20Policies%20and%20Positions/restraint%20and%20seclusion.pdf>

Variety of Materials about Crisis Intervention Training and Physical Restraint & Seclusion

- The Student Engagement Project Website:
<https://k12engagement.unl.edu/physical-restraint-seclusion-resources>

Additional Video Tape Resources

- Reducing the Use of Seclusion and Restraint in Schools* is a new video summarizing the practice and policy issues regarding the use of these procedures in schools. The video was produced at Clemson University's College of Health, Education and Human Development, and is one of their *Policy Matters* series. The video is about an hour long and includes four panelists, Dr. Reece Peterson-University of Nebraska-Lincoln, Dr. Joe Ryan-Clemson University, Dr. Dan Stewart- an attorney at the Minnesota Disability Law Center, and Bill Lichtenstein a journalist and parent of a child who had been restrained. There are also clips embedded from a documentary video by Dan Habib "Restraint & Seclusion: Hear Our Stories". These video clips tell the stories of youth who had been subjected to being restrained or secluded in school. The video is available free at: <http://newsstand.clemson.edu/tv/?p=3166>. (1 hour). A variety of links to other additional resources on this topic can be found on the same web page.

- Restraint and Seclusion: Hear Our Stories (working title)* is a new film by Dan Habib, Filmmaker at the Institute on Disability at the University of New Hampshire, and creator of the films *Including Samuel* and *Who Cares About Kelsey?* In the film, Jino Medina, Brianna Hammond, Helena Stephenson and Peyton Goddard describe the restraint and seclusion they experienced while students in public schools, and the devastating physical and emotional injuries they suffered as a results. <https://vimeo.com/68102037>