

Guidelines for the Prevention and Reduction of Restraint in the Public School System

- Research indicates that best practices include a state policy where physical restraint in the school system shall be only used as a last resort when there is a demonstrable and imminent physical danger to the student or others and the use of seclusion, mechanical restraints and prone restraint is banned entirely.

BACKGROUND

Seclusion and restraint are highly dangerous interventions that have led to death, injury, and trauma in children. Most of the children who are restrained are students with developmental disabilities. In 2009, the Government Accountability Office (GAO) collected at least 20 stories of children who died in restraint. Restraint techniques should not be used when less restrictive measures would resolve the issue.

Restraint can be reduced and often avoided by implementing positive behavioral supports in schools. Florida's students, teachers and other personnel will benefit from initiatives to implement evidence-based behavior management training which emphasizes positive behavior supports and includes crisis reduction and de-escalation techniques. Recently, there has been an increase in publicity of School Resource Officers using restraints as a punishment. The Council recommends the requirement that Resource Officers receive the same type of training and information as other school personnel.

Research confirms that physical restraint and seclusion are not therapeutic, nor are these practices an effective means to calm or teach children. Restraint and seclusion can re-traumatize children who have had prior abuse in their lives. These practices seem to decrease a child's ability to learn and therefore, restraint and seclusion should not be included in a child's Individual Educational Plans.

ISSUE

The Council supports a requirement of using restraint only in situations of imminent danger. This position provides a clear direction to students, parents, teachers and school administrators that restraint cannot be used for discipline, addressing non-compliance or for convenience.

Recent data collected from the Florida Department of Education shows that some Florida counties have successfully banned the use of seclusion, prone restraint and mechanical restraint. The Council would like to see all counties adopt prohibitions against these dangerous practices. This data also indicates an alarming number of restraints that last over an hour.

Statutes have not been improved since gains were made in reporting and data collection requirements in 2011. Last year there was great legislative interest and effort to improve statutory guidelines for the prevention and reduction of restraint and the prohibition of seclusion in the public school system. These efforts to amend Florida's law last year did not make it through the process but bills have already been filed for 2018.

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