



FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL, INC.

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

- **The Council supports a 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 implemented by staff and Resource Officers who have received the appropriate crisis prevention training.**
- **The Council opposes the use of seclusion, mechanical restraints and prone restraint entirely.**
- **The Council opposes restraint as a planned intervention in individual education plans for students with disabilities.**

Seclusion and restraint are highly dangerous interventions that have led to death, injury, and trauma in children. In 2009, the Government Accountability Office (GAO) collected at least 20 stories of children who died in restraint. Restraint should not be used when there is no emergency posing a danger to physical safety. Even then, restraint should not be used when less restrictive measures would resolve the issue. The Council supports a requirement of using restraint in situations of imminent danger and not as an educational tool or used in an Individual Educational Plan. 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.

In the report, *How Safe Is the Schoolhouse? An Analysis of State Seclusion and Restraint Laws and Policies (July, 19 2015)* Jessica Butler, (jessica@jnba.net) writes that "Florida came close to being included in the "weak" group, and ranks at the bottom of states with meaningful protection. Florida was classified as having meaningful protections because it has strong data collection provisions, monitors schools for compliance with the law and publishes monitoring reports, requires parental notification, bans restraint that interferes with breathing, and has other features in its law. Florida's law requires schools to report why each restraint incident involved a threat of serious bodily injury. Yet, the statute does not explicitly limit restraint and seclusion to such emergencies, a significant problem. Efforts to amend Florida's law (2011-2015) to impose such a restriction have failed."

The data collected from the Florida Department of Education this year 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. 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 as other school personnel.

Data from the U.S. Department of Education shows a disproportionate use of restraint and seclusion practices with students with disabilities. The Council believes there are less dangerous ways to address behavioral concerns in schools. 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 behavior management training which emphasizes positive behavior supports and includes crisis reduction and de-escalation techniques.