

# THE STATE OF RESTRAINT AND SECLUSION

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# Restraint and Seclusion Definitions

- **SECLUSION**—The involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving.
- **PHYSICAL RESTRAINT**—Personal restriction that immobilizes or reduces the ability of an individual to move the individual's arms, legs, torso, or head freely.
- **PHYSICAL ESCORT**—The temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location.

# Restraint and Seclusion Use in Schools

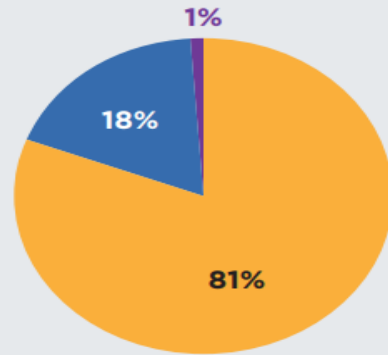
- The use of restraint and seclusion is well documented AND underreported
  - 2021-2022 school year:
    - ~35,000 students physically restrained (students, not incidents)
    - ~16,000 students secluded (students, not incidents)
  - 2019 GAO report stated that ~70% of districts report “0s” to CRDC
- Very difficult to get data on places where restraint and seclusion are more likely to happen (segregated settings)

# Disproportionality

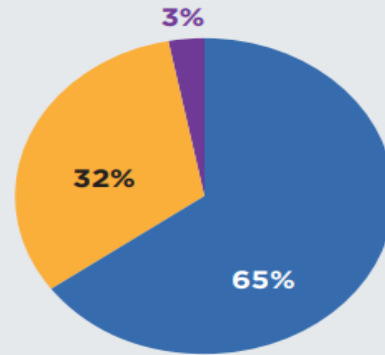
- Restraint and seclusion are disproportionately used on:
  - Students with disabilities
  - Black Students
  - Boys

## Students with Disabilities Subjected to Restraint or Seclusion

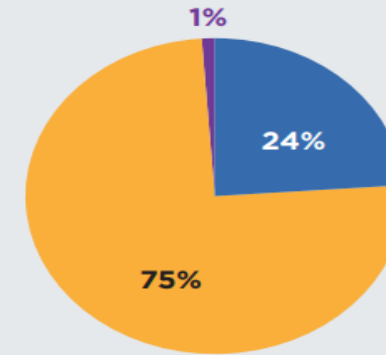
Although students served under IDEA comprised 14% of the overall student enrollment, they accounted for 81% of students who were subjected to physical restraint, 32% of students subjected to mechanical restraint, and 75% of students subjected to seclusion.



**35,100**  
Number of Students  
Subjected to  
**Physical Restraint**



**2,200**  
Number of Students  
Subjected to  
**Mechanical Restraint\***



**15,700**  
Number of Students  
Subjected to  
**Seclusion**

■ Students without  
Disabilities

■ Students served  
under IDEA

■ Students served under  
Section 504 only

*\*The number of students subjected to mechanical restraint may include counts of students who were handcuffed by law enforcement, but no arrest was made.*

# State Laws and Policies

- Some states have laws and policies, but it is a patchwork and not equally enforced
- There is no federal standard, policy, or procedure

# Keeping All Students Safe Act (KASSA)

- House (H.R. 3470): Ranking Member Bobby Scott (D-VA), Rep. Don Beyer (D-VA)
  - 106 House Cosponsors (bipartisan)
- Senate (S. 1750): Sen. Chris Murphy (D-CT)
  - 19 Senate Cosponsors (only Democrats)

# KASSA Would...

- Prohibit seclusion and mechanical, chemical, prone, and supine physical restraint
- Prohibit restraint as planned intervention (not part of the IEP), only allow under threat or serious physical injury
- Require parental notification and follow-up
- Provide a private right of action for families
- Require states to provide training to all staff
- Increase transparency, data collection, state planning and oversight to prevent future abuse and death



# KASSA Would Also...

- Provide funding to states, districts and school personnel for:
  - Accessing training in evidence-based practices
  - Hiring more school counselors or other non-police personnel to address students' behavior and other needs
  - Promoting use of evidence-based programs (e.g., PBIS and “time out” which separates the student from the class/group in a non-locked, accessible setting)
  - Ensuring parents and school personnel meet as needed to address a student's behavior



**THANK YOU**