

# **Restraint and Seclusion in Schools: Recommendations for California**



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# Restraint and Seclusion in Schools: Recommendations for California

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Cover photo of a seclusion room at a school in San Diego, taken by  
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# Table of Contents

<b>I. INTRODUCTION.....</b>	<b>1</b>
<b>II. BACKGROUND.....</b>	<b>3</b>
A. National Policy on Restraint and Seclusion in Schools.....	3
B. Response of Other States to National Policy.....	11
<b>III. CALIFORNIA LAW REGARDING BEHAVIORAL RESTRAINT AND SECLUSION IN SCHOOLS .....</b>	<b>13</b>
1. The Hughes Bill.....	13
2. 2013 Changes to California Education Code: A Step Backward.....	14
3. The New Law Does Not to Address Federal Best Practices Pertaining to Restraint and Seclusion .....	15
4. California Data Collection Ceases.....	15
5. California Repeals Provisions Requiring Positive Behavior Support Plans.....	16
<b>IV. DATA.....</b>	<b>17</b>
A. Historical California Data Collection and Reporting .....	17
B. No Current Data Collection Required by California.....	17
C. Federal Civil Rights Data Collection .....	18
D. California CRDC Data on Use of Restraint and Seclusion.....	18
<b>V. FINDINGS.....</b>	<b>21</b>
1. By all available measures, the use of restraint and seclusion in schools is concerning.....	21
2. California has failed to implement laws limiting the use of restraint and seclusion in schools and promoting the use of proven preventative measures.....	21
3. California lacks a reliable data collection and reporting process.....	22
<b>VI. RECOMMENDATIONS.....</b>	<b>25</b>
Recommendation 1: The California Legislature should enact legislation that establishes minimum protections regarding the use of restraint and seclusion in California schools. ....	25

Recommendation 2: Schools must be required to collect and publicly report data regarding the use of physical restraint and seclusion. ....	25
Recommendation 3: Schools must be required to develop and implement initiatives that reduce and eliminate the use of restraint and seclusion, including PBIS.....	26
Recommendation 4: The California Department of Education must ensure that school personnel receive training in crisis de-escalation techniques and behavioral strategies that teach students alternative appropriate behavior. ....	26
<b>VII. CONCLUSIONS.....</b>	<b>28</b>
<b>APPENDIX A .....</b>	<b>29</b>
<b>APPENDIX B .....</b>	<b>31</b>
<b>APPENDIX C .....</b>	<b>33</b>

## I. INTRODUCTION

For the past seven years, there has been increasing national attention on the use of behavioral restraint<sup>1</sup> and seclusion<sup>2</sup> in schools. Nationwide, disability advocacy and educational organizations and federal agencies have issued reports and position statements focused on the unregulated and widespread use of behavioral restraint and seclusion and the significant harm it can cause.

States have been urged to enact legislation or adopt model guidelines limiting the use of these dangerous practices. In response, a number of states have heeded the call and enacted laws and regulations that set standards for the use of restraint and/or seclusion in schools and provide students with minimal protections. California is not among them.

### **National Alliance on Mental Illness Public Policy Platform**

**May 2009**

*The use of restraints and seclusion in schools -- causing trauma, injury and death in far too many cases -- disproportionately impacts students with disabilities, most often students with mental illness.... NAMI believes that restraints and seclusion should not be used in our nation's schools except in emergency circumstances ... involving an imminent risk of danger to the child, adolescent or others and no other safe, effective intervention is possible.*

*NAMI urges its members to support legislation that promotes the use of school-wide Positive Behavioral Interventions and Supports (PBS) and other evidence-based approaches to help reduce the use of R&S in schools.*

California has not only failed to implement laws addressing the use of restraint and seclusion in schools but has taken a step backwards. In 2013, California repealed decades-old requirements that schools take specific steps to proactively address challenging behaviors of students with disabilities and report on the

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<sup>1</sup> Restraint is defined as “any manual method, physical or mechanical device, material, or equipment that immobilizes or reduces the ability of a [person] to move his or her arms, legs, body or head freely. 42 CFR § 482.13(e)(1)(i)(A).

<sup>2</sup> Seclusion is defined as the involuntary confinement of a [person] alone in a room or area from which the [person] is physically prevented from leaving. 42 CFR §482.13(e)(1)(ii).

number of emergency behavioral interventions (e.g. restraint or seclusion) that occurred. For school children with emotional and behavioral challenges, this change puts them at increased risk of restraint and seclusion and further limits information about the frequency of its use.

This paper examines current California education law and policy regarding behavior interventions for children with disabilities in schools. It recommends steps that California can take to align itself with national recommendations and with the rapidly growing number of states that are implementing these recommendations through amendments to their state's education laws and practices.



## II. BACKGROUND

### A. National Policy on Restraint and Seclusion in Schools

Since 2007, the nation's attention has become increasingly focused on growing concerns about the use of restraint and seclusion in America's elementary and secondary schools and vocal about the need for systemic reform. Up until this point, the focus had been on restraint and seclusion reduction in other settings, notably health care facilities and residential programs serving children with disabilities.

It is well established that restraint and seclusion are traumatic and dangerous practices.<sup>3</sup> Children are subjected to restraint or seclusion at higher rates than adults and are at greater risk of injury.<sup>4</sup> Beyond physical injuries or death, behavioral restraint and seclusion can also severely traumatize individuals and result in lasting adverse psychological effects.<sup>5</sup> Children and adolescents restrained during a psychiatric hospitalization report recurrent nightmares, intrusive thoughts, avoidance behaviors, enhanced startle response, and mistrust of mental health professionals resulting from the incident, even years after the event.<sup>6</sup> Restraint and seclusion compromise an individual's ability to trust and engage with others, and create an environment that undermines forming trusting relationships and, by extension to the education setting, learning.<sup>7</sup>

Restraint and seclusion interfere with learning. Practically, they remove the child from the learning environment and engaging in the educational activity for the duration of the restraint or seclusion event. Restraint and seclusion are traumatic events and trauma is known to impact school performance. Students exposed to traumatic events have a lower GPA, decreased reading ability, higher rates of school absences, and more suspensions and expulsions. Repeated or chronic

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<sup>3</sup> United States Government Accountability Office [GAO], (May, 2009). *Seclusions and Restraint: Selected Cases of Death and Abuse at Public and Private Schools and Treatment Centers*. GAO-09-719T.

<sup>4</sup> *Id.*

<sup>5</sup> Child Welfare League of America (2004a). *Achieving Better Outcomes for Children and Families – Reducing Restraint and Seclusion*. Washington, D.C.; CWLA Press.

<sup>6</sup> Mohr, Wanda K. (2003). Adverse Effects Associated with Physical Restraint. *Can J Psychiatry*, Vol. 48, No. 5.

<sup>7</sup> Child Welfare League of America (2004b). *Behavior Support and Intervention Training, CWLA Best Practice Guidelines*. Washington, D.C., CWLA.

exposure can adversely affect attention, memory and cognition, and reduce a child's ability to focus and process information.<sup>8</sup>

In January 2009, the Chairman of U.S. House of Representatives Committee on Education and Labor requested that the Government Accountability Office (GAO) investigate whether allegations of the use of restraint and seclusion in the schools were founded and widespread. In May of 2009, the GAO issued its [report](#)<sup>9</sup> and provided testimony to Congress regarding its findings, including:

1. Restraint and seclusion can be dangerous, severely traumatizing, and may cause death.
2. Children are restrained and secluded with more frequency and are at greater risk for injury than adults.
3. Children with disabilities are restrained and secluded even when they did not appear to be physically aggressive.
4. There are hundreds of cases of alleged abuse and death related to the use of these interventions in schools, most of which involve children with disabilities.
5. There is no website or federal agency or entity that collected information on the use of restraint or seclusion or the extent of their alleged abuse.<sup>10</sup>
6. There are divergent laws at the state level and no federal laws governing the use of seclusion and restraints in schools, public and private.

In July 2009, Arne Duncan, Secretary of the U.S. Department of Education (US DOE), issued a letter to state school officers expressing his deep concern about the information presented in the GAO report. See Appendix A. He encouraged every state to develop, or review and revise as needed, their state's policies and guidelines regarding the use of restraint and seclusion in schools to ensure that

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<sup>8</sup> National Child Traumatic Stress Network Schools Committee (October 2008). Child Trauma Toolkit for Educators. Los Angeles, CA & Durham, NC: National Center for Child Traumatic Stress.

<sup>9</sup> GAO (May, 2009). Seclusions and Restraint: Selected Cases of Death and Abuse at Public and Private Schools and Treatment Centers, 1-4. Available at: <http://www.gao.gov/assets/130/122526.pdf>

<sup>10</sup> This has subsequently changed with data collected by the US. Department of Education, Office of Civil Rights.

every student is safe and protected from being unnecessarily or inappropriately restrained or secluded.<sup>11</sup>

Secretary Duncan suggested the combination of positive behavior intervention and supports (PBIS) and state regulations which limit the use of seclusion and restraint as one good approach. He cautioned that states that have not adopted effective seclusion and restraint policies leave students and teachers vulnerable.

Secretary Duncan's recommendations included that states:

- prohibit the use of seclusion or restraint for the purpose of punishment or exclusion;
- only permit trained staff to restrain students and then only in very narrow circumstances;
- limit the use of seclusion and/or restraint to only situations where it is absolutely necessary to preserve the safety of self or others; and
- require extensive documentation and parental notification of each incident.

Secretary Duncan also encouraged states to establish a culture in schools to achieve social and academic gains while minimizing behavioral problems and to implement PBIS, successfully used, at that time, by approximately 8,000 schools<sup>12</sup> across the country. He described PBIS as, "an important preventative approach that can increase the capacity of the school staff to support children with the most complex behavioral needs, thus reducing the instances that require intensive interventions."

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<sup>11</sup> Duncan, A., Deputy Secretary of United State Department of Education. Letter to Chief State School Officers, dated July 31, 2009. Available

at: <http://www2.ed.gov/policy/elsec/guid/secletter/090731.html>.

<sup>12</sup> By 2012, PBIS was being implemented in over 17,000 schools.

**National Parent Teacher Association  
February 12, 2014**

*[The National PTA] promote disciplinary interventions and supports that emphasize the positive behavior of students and include a family engagement component. PTA opposes the use of abusive discipline practices, **including physical restraint and seclusion**, which can have lasting consequences on the physical and emotional health of children.*

*Research shows that the use of seclusion and restraint continues to be widespread in the United States despite overwhelming evidence that other interventions are both safer and more effective. Additionally, studies show that many states do not require parental notification when seclusion and restraint has been used and that parents face obstacles when they try to address their concerns about the use of these practices in schools.*

*PTA recommends evidence-based alternatives to seclusion and restraint, including positive behavioral intervention, that when implemented demonstrate success at improving student behavior.*

In December 2009, Secretary Duncan sent a letter<sup>13</sup> to Senator Christopher Dodd, then Chairman of the Senate Subcommittee on Children and Families, recognizing Senator Dodd's efforts to develop legislation that would limit the use of physical restraint and seclusion in schools. In the letter, Secretary Duncan identified a number of principles recommended by the US DOE regarding the use of restraint and seclusion in schools. They included:

- Physical restraint and seclusion should never be used as punishment or discipline, nor in a manner that restrict a child's breathing.
- Every instance of physical restraint and seclusion should be appropriately monitored to ensure the safety of the child, other children, teachers, and other personnel.

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<sup>13</sup> Available at: [www2.ed.gov/policy/speced/guid/idea/letters/2009-4/congress120809seclusionandrestraints4q2009.doc](http://www2.ed.gov/policy/speced/guid/idea/letters/2009-4/congress120809seclusionandrestraints4q2009.doc).

- Teachers and other personnel should be trained regularly on the appropriate use of restraint and seclusion and the use of effective alternatives, such as positive behavioral intervention and supports.
- Parents should be informed of school policies, and state or local laws, on restraint and seclusion and should be notified promptly following the use of restraint or seclusion on their child.
- Policies regarding the use of restraint and seclusion should be reviewed regularly and updated as appropriate.
- Legislation should promote the collection of data that would enable teachers, staff, and other educational personnel to understand and implement these principles and should apply to all children, not just children with disabilities.

In 2012, US DOE issued a detailed resource guide<sup>14</sup> that articulated 15 principles that states and local school districts should adopt to protect students from the serious and deadly risks associated with restraint and seclusion. See Appendix B. California has not implemented any of these principles.

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<sup>14</sup> <http://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf>.

Disability Rights California evaluated states based on whether current laws or regulations explicitly comply with the following 11 of the 15 principles from the US DOE regarding use of restraint and seclusion in schools recommendations.

<b>Factors</b>
States with laws that:
1. Limit the restraint of children with disabilities to emergencies involving an immediate risk of physical harm or serious physical harm.
2. Prohibit the use of seclusion with children with disabilities or restrict the use to emergencies involving an immediate risk of physical harm or serious physical harm.
3. Require restraint and/or seclusion to end when the emergency ends for children with disabilities.
4. Prohibit the use of seclusion or restraint to discipline or punish children.
5. Explicitly bans all restraint techniques that obstruct breathing or that threaten life for children with disabilities.
6. Allow restraint only as last resort when less restrictive measures fail or would be ineffective for children with disabilities.
7. Ban mechanical restraint use with children with disabilities.
8. Prohibit chemical restraints for all children, including children with disabilities.
9. Require schools to apprise parents when their child with a disability was restrained or secluded.
10. Require continuous direct observation of students while in seclusion (includes states that prohibit seclusion entirely noted with a check mark).
11. Requires training of staff in safe and appropriate use of seclusion or restraint.

The 11 factors used were those that pertain specifically to the application or use of behavioral restraints or seclusion, including monitoring while in restraint and parental notice following an incident. Recommendations peripheral to restraint or seclusion application and use, such as staff training and elements in school policies, were not included. Information

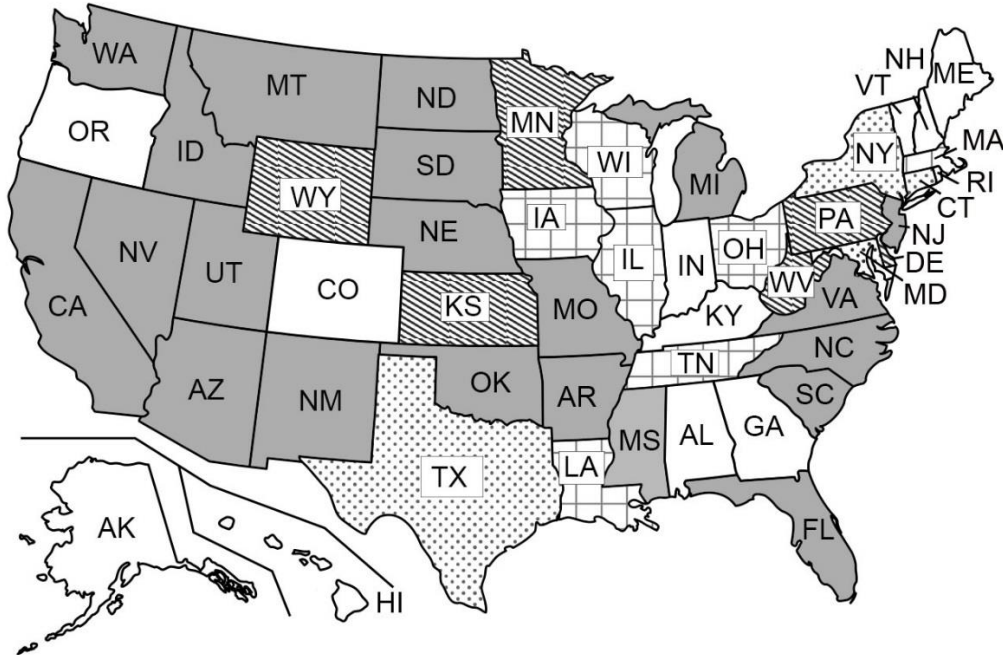
about each state's laws pertaining to restraint and seclusion in schools was compiled from *How Safe is The Schoolhouse? An Analysis of State Seclusion and Restraint Laws and Policies* written by Jessica Butler (March 22, 2015).<sup>15</sup> See Appendix C for which of the 11 factors a state includes in their laws by the state.

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<sup>15</sup> Jessica Butler, (March 22, 2015). *How Safe is The Schoolhouse? An Analysis of State Seclusion and Restraint Laws and Policies*. Available at: <http://www.autcom.org/pdf/HowSafeSchoolhouse.pdf>

## B. Scorecard of States' Implementation of US DOE Recommendations Regarding Restraint and Seclusion Use in Schools

Below is a map of the United States showing how many 11 factors each state met.



Map Key			
Color	Letter Grade	Number of Factors	State
	A	11-10	AL, AK, CO, GA, HI, IN, KY, ME, NH, OR, VT
	B	9-8	IL, IA, OH, TN, LA, MA, RI, WI
	C	7-6	KS, MN, WV, WY, DE, PA
	D	5-4	CT, MD, NY, TX
	F	0-3	AZ, ID, MI, MS, MO, NE, NJ, NM, ND, OK, SC, SD, VA, AR, UT, FL, NC, CA, MT, NV, WA



Description of graph: A map of the United States showing how many factors each state met and what their resulting letter grade is. The following states received the letter grade A because they met 10 or 11 out of 11 factors: Alabama, Arkansas, Colorado, Georgia, Hawaii, Indiana, Kentucky, Maine, Nebraska, Oregon, and Vermont. The following states received the letter grade B because they met 8 or 9 factors out of 11: Illinois, Iowa, Ohio, Tennessee, Louisiana, Massachusetts, Rhode Island, and Wisconsin. The following states received the letter grade C because they met 6 or 7 factors out of 11: Kansas, Minnesota, West Virginia, Wyoming, Delaware, and Pennsylvania. The following states received the letter grade D because they met 4 or 5 factors out of 11: Connecticut, Maryland, New York, and Texas. The following states received the letter grade F because they met 0, 1, 2, or 3 factors out of 11: Arizona, Idaho, Michigan, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, North Dakota, Oklahoma, South Carolina, South Dakota, Virginia, Arkansas, Utah, Florida, North Carolina, California, Montana, Nevada, and Washington.

### **C. Response of Other States to National Policy**

Since 2009, there has been a growing voice of concern about the unsafe restraint and seclusion practices in public and private schools throughout the country and calls for systemic reform. Many advocacy groups<sup>16</sup> and educational organizations<sup>17</sup> throughout the country have issued their own reports cautioning about the use of restraint and seclusion practices in educational settings and urging for national and state legislative, regulatory and policy reform.

As of March 2015, 20 states<sup>18</sup> have adopted or strengthened laws related to restraint and seclusion in schools; many include provisions consistent with the 15 principles recommended by US DOE. Nineteen (19) states ban the use of mechanical restraints. Twenty-nine (29) states prohibit restraint techniques that impede breathing and threaten life; Twelve (12) states specifically ban prone restraint. Twenty (20) states limit the use of restraint of children with disabilities except in emergencies involving the immediate risk of physical harm; twenty (20) states prohibit the use of non-emergency seclusion for children with disabilities. Nineteen (19) states ban the use of chemical restraints. Twenty-one states (21)

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<sup>16</sup> See, for example, National Disability Rights Network, [School is Not Supposed to Hurt \(2009\)](#) and [School is Not Supposed to Hurt: Update \(2010\)](#).

<sup>17</sup> See, for example, [The Council for Children with Behavioral Disorders](#).

<sup>18</sup> Jessica Butler, (March 22, 2015). *How Safe is The Schoolhouse? An Analysis of State Seclusion and Restraint Laws and Policies*. Available at: <http://www.autcom.org/pdf/HowSafeSchoolhouse.pdf>

require annual data regarding the use of restraint and seclusion for children with disabilities.

Efforts by Disability Rights California to enact legislation<sup>19</sup> that would establish minimal safeguards consistent with the 15 principles recommended by the DOE have thus far been unsuccessful.

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<sup>19</sup> Senate Bill 1515 (Kuehl, 2008), Assembly Bill 1538 (Ma, 2009), and Assembly Bill 519 (Hernandez, 2011).

### **III. CALIFORNIA LAW REGARDING BEHAVIORAL RESTRAINT AND SECLUSION IN SCHOOLS**

#### **A. The Hughes Bill**

In 1990, California enacted legislation addressing the use of aversive behavioral interventions for special education students whose behavior interfered with classroom instruction and learning. Known as the “Hughes Bill,” the legislation prohibited the use of interventions that caused pain or trauma and required the promulgation of regulations “governing the use of behavioral interventions” for children with disabilities.

Subsequent regulations required educators to develop behavior intervention plans for students with serious behavior problems, with the focus on positive interventions based upon functional analysis assessments. The Hughes Bill requirements exceeded those required under the federal Individual with Disabilities Education Act (IDEA). IDEA requires an IEP team to consider the use of positive intervention strategies and supports when a student’s behavior impedes his or her learning. IDEA does not expressly prohibit the use of restraint, seclusion or aversives on students with disabilities.<sup>20</sup>

In addition, the Hughes Bill regulations prohibited the use of certain emergency interventions, including locked seclusion and the employment of a device or material or object which simultaneously immobilizes all four extremities (i.e. four point mechanical restraint).<sup>21</sup> Regulations required Special Education Local Planning Areas (SELPA) to collect annual data regarding the use of “emergency

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<sup>20</sup> Office of Special Education Programs (March 17, 2008). Letter to Anonymous. 50 IDELR 228; 108 LRP 33624.

<sup>21</sup> Hughes Bill regulations also prohibited:

An amount of force that exceeds that which is reasonable and necessary under the circumstances;

Any intervention that is designed to, or likely to, cause physical pain;

Releasing noxious, toxic or otherwise unpleasant sprays, mists, or substances in proximity to the individual’s face;

Any intervention which denies adequate sleep, food, water, shelter, bedding, physical comfort, or access to bathroom facilities;

Any intervention which is designed to subject, used to subject, or likely to subject the individual to verbal abuse, ridicule or humiliation, or which can be expected to cause excessive emotional trauma;

Any intervention that precludes adequate supervision of the individual; and

Any intervention which deprives the individual of one or more of his or her senses

interventions” with children in special education. These regulations remained unchanged until 2013.

### **B. 2013 Changes to California Education Code: A Step Backward**

In 2013, the Education Omnibus Trailer Bill (Assembly Bill 86) amended the Education Code, codifying Hughes Bill regulations pertaining to emergency interventions and eliminating requirements regarding functional analysis assessments (“FAAs”) and positive behavioral intervention plans, deferring to the requirements under IDEA. The intent of AB 86 was to modify the behavioral intervention plan mandate “to align it more closely with federal law and reduce unnecessary costs.”<sup>22</sup>

AB 86, codified at Education Code Section 56521.1, did not implement any new provisions consistent with recommendations by the US DOE, adopted by many other states, and did not include any of the safeguards or minimum standards recommended by Secretary Duncan and the US DOE. It eliminated the following two US DOE recommendations that were previously contained in Hughes Bill regulations:

- the data collection and reporting mandate; and
- the requirement that school districts proactively develop positive behavior support plans for students with serious behavioral challenges.

In 2013, Assembly Bill 110 (California’s 2013–2014 budget bill) required the California Department of Education (Department) provide oversight and technical assistance and monitoring to SELPAs regarding changes under the AB 86. As required, the Department convened eight stakeholder meetings between October 2013 and June 2014, bringing together a broad array of stakeholders and experts, including public and private school administrators; SELPA directors; parents; experts in functional assessments and positive behavior interventions; legislative staff; and disability advocates. The Department also issued a series of publications and guidance materials providing resource information. None of these meetings and materials addressed the use of restraint or seclusion.

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<sup>22</sup>California Senate, Office of Senate Floor Analyses. *Education Budget Trailer Bill (AB 86)*. Text from: *Third Reading*. Available at: <http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml>.

### **C. The New Law Does Not to Address Federal Best Practices Pertaining to Restraint and Seclusion**

Education Code Section 56521.1 codified the list of emergency interventions and aversives previously prohibited under the Hughes Bill, including locked seclusion and four point mechanical restraint. All other restraint and seclusion methods are permitted including prone restraint and positions that impede a student's breathing. It does not limit the use of chemical restraint or any other mechanical restraint except simultaneously immobilizing all four limbs. It does not prohibit the use of restraint or seclusion for punishment, discipline, coercion, retaliation, or staff convenience.

Like the previous Hughes Bill regulations, Education Code Section 56520 et seq. only addresses the use of "emergency interventions" with special education students. It does not limit the use in the general education population or with students generally. It also only pertains to interventions used in an emergency and imposes no limitations on the use of restraint or seclusion in a student's behavior plan or IEP or when a student's dangerous behavior is no longer a "spontaneous, unpredictable event."

### **D. California Data Collection Ceases**

As will be discussed in more detail below, previous regulations required SELPAs to report<sup>23</sup> the total number of behavioral emergency reports completed in each year.<sup>24</sup> While the data did not report restraint or seclusion explicitly, it captured the number of emergency interventions used, the majority of which involved either restraint or seclusion. Education Code Section 56520 et seq. immediately repealed all data collection and reporting requirements.

This represents a significant departure from data collection and reporting requirements in all other settings where restraint and seclusion is used and disregards the US DOE's recommendation regarding data collection, analysis, and reporting. The US DOE recommends that states adopt policies that "provide for the collection of specific data." Using data allows for oversight of such practices, including identifying and addressing trends and recognizing successful alternative strategies or programs, an essential component to reducing restraint and seclusion.

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<sup>23</sup> These reports were made to the California Department of Education and the Advisory Committee on Special Education.

<sup>24</sup> Cal. Code Regs. tit. 5, § 3052(i)(9). Repealed 2013.

## **E. California Repeals Provisions Requiring Positive Behavior Support Plans**

Education Code Section 56521.2(b) requires that an IEP team “consider the use of positive behavioral interventions and supports” consistent with federal law but no longer compels school districts to proactively develop Positive Behavior Support Plans (PBIS) for students with serious behavioral challenges. PBIS is an evidence-based, data driven framework for proactively addressing challenging behavior in schools which includes creating and sustaining individualized support plans for students whose behavior impedes learning. PBIS has been embraced by Secretary Duncan and other leading experts<sup>25</sup> as an effective and valuable tool for addressing the behaviors of children with disabilities that interfere with learning.

AB 110 required the California Department of Education to convene a stakeholder group to identify and recommend practices based on “peer-reviewed research.” Peer reviewed research is research that is reviewed by qualified and independent reviewers to ensure that the quality of the information meets the standards of the field before the research is published. Peer reviewed research is distinguished from evidence based practices and best practices. Resource materials were gathered from a number of resources regarding behavioral interventions, including the OSEP and Positive Environments Network of Trainers (a California Department of Education program). Regrettably, many evidence based practices and best practices may not qualify as “peer reviewed research.”

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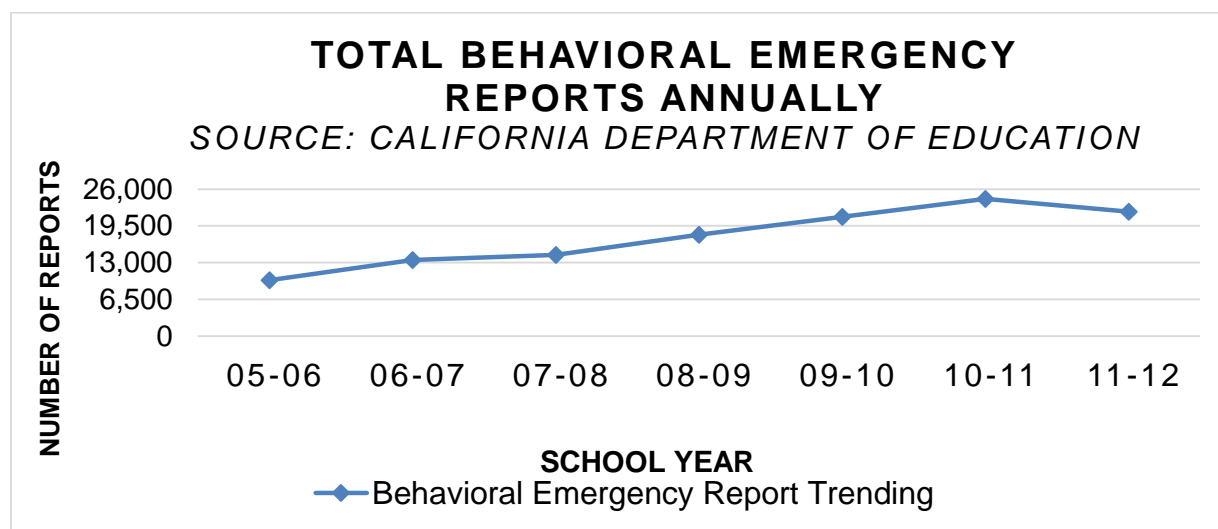
<sup>25</sup> Horner, Robert & Sugai, George. (April 29, 2009). *Considerations for Seclusion and Restraint Use in School-wide Positive Behavior Supports*. Available at: [http://www.pbis.org/common/cms/files/pbisresources/Seclusion\\_Restraint\\_inBehaviorSupport.pdf](http://www.pbis.org/common/cms/files/pbisresources/Seclusion_Restraint_inBehaviorSupport.pdf)

## IV. DATA

### A. Historical California Data Collection and Reporting

Education Code Section 56520 et seq. no longer requires that SELPAs collect and report data regarding the use of restraint, seclusion or any other emergency behavioral intervention. Previous regulations required SELPAs to report the total number of behavioral emergency reports completed in each year. While the data did not capture restraint or seclusion explicitly, it provided some information about the number of emergency interventions being used, the majority of which involved either restraint or seclusion.

This data showed over a 120% increase in the use of emergency interventions from 2005-2006 through 2011-2012 school years. There was no change in California law pertaining to data collection and reporting that can account for this dramatic increase.



Description of graph: A line graph showing the number of Behavioral Emergent Reports (BERs) for the years 2005 to 2012. In the school year of 2005 to 2006 there were 9,921 BERs. In the school year of 2006 to 2007 there were 13,462 BERs. In the school year of 2007 to 2008 there were 14,354 BERs. In the school year of 2008 to 2009 there were 17,921 BERs. In the school year of 2009 to 2010 there were 21,092 BERs. In the school year of 2010 to 2011 there were 24,289 BERs. In the school year of 2011 to 2012 there were 22,043 BERs.

### B. No Current Data Collection Required by California

Education Code Section 56520 et seq. repeals previous data collection and reporting requirements and fails to include any new requirements that data be

collected or reported regarding the number of emergency behavioral interventions or restraint or seclusion events in schools. No data has been collected by the California Department of Education since the 2011-2012 school year.

### **C. Federal Civil Rights Data Collection**

In the 2009-2010 and 2011-2012 school years, the US DOE, Office of Civil Rights included questions pertaining to the use of behavioral restraint and seclusion in their Civil Rights Data Collection (CRDC). The CRDC collects data from public schools on a wide range of key education and civil rights indicators related to the nation's public elementary and secondary schools' obligation to provide equal educational opportunity.<sup>26</sup> Topic areas range from general information about school characteristics and student enrollment to detailed information about student academic performance in certain math and science courses, participation in advance placement testing, harassment and bullying, and student discipline. These data are used by US DOE, Office of Civil Rights in its enforcement and monitoring and by others, including policymakers.

Beginning in 2009-2010<sup>27</sup> and again in 2011-2012<sup>28</sup>, the CRDC included questions pertaining to the use of behavioral restraint and seclusion. Specifically, school districts were asked to provide data regarding the instances of mechanical restraint, physical restraint, or seclusion and the number of students subjected to each. IDEA does not require any data collection pertaining to behavioral restraint or seclusion.

### **D. California CRDC Data on Use of Restraint and Seclusion**

The data reported by California school districts indicates a widespread problem with reliable data reporting and collection. Therefore, no conclusions can be drawn from data regarding the use of restraint and seclusion in schools from the CRDC data except that there is no reliable public data available.

Very few schools reported any restraint or seclusion use in the CRDC data submitted to the US DOE, Office of Civil Rights. This includes some of the

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<sup>26</sup> <http://www2.ed.gov/about/offices/list/ocr/docs/crdc-2009-10-factsheet.html>

<sup>27</sup> Data was collected from a representative sample of districts in all 50 states, representing 85% of students in U.S. public schools. The 2009-2010, CRDC collected information from approximately 7,000 school districts and over 72,000 schools.

<sup>28</sup> The CRDC for the 2011-12 school year was collected from **every** public school and school district in the country. The school and district level data collected by the CRDC was posted in March 21, 2014 on the CRDC website at <http://ocrdata.ed.gov>.



largest school districts in the state, such as Los Angeles Unified School District with over 653,000 students, Long Beach Unified School District with over 80,000 students, San Francisco Unified School District with nearly 58,000 students, and Oakland Unified School District with nearly 50,000 students. In fact, seven of the ten largest school districts, by enrollment, reported zero restraint or seclusion use in 2011-2012. Advocates and parents confirm numerous restraint and seclusion events in other districts also reporting zero restraint and seclusion use.

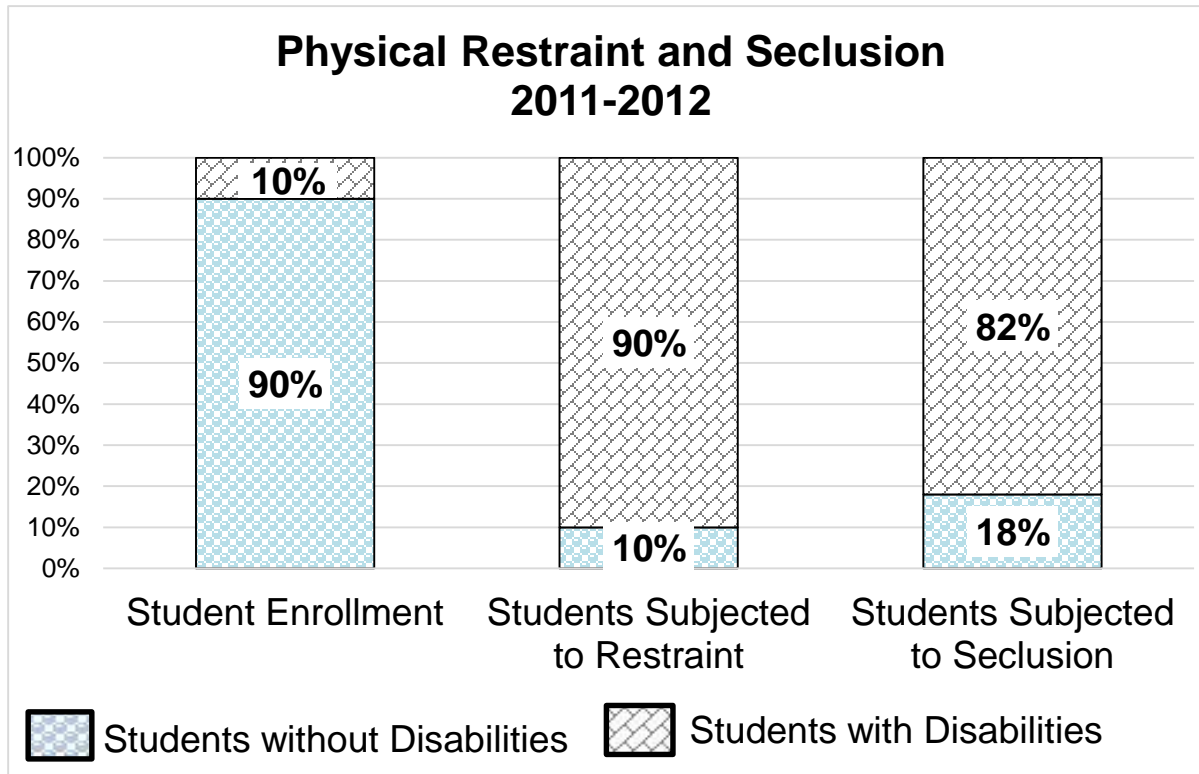
Furthermore, some smaller school districts reported tremendous and facially unreliable rates of restraint and seclusion. For example, in 2009-2010, Santa Rosa High School District reported nearly 10,300 incidents of seclusion of students without disabilities and over nearly 2800 incidents of seclusion of students with disabilities or subject to 504 plans. Fontana Unified School District (Fontana) reported over 670 incidents of mechanical restraint of general education students (without disabilities) and no other incident restraint or seclusion.

Students with disabilities are disproportionately subject to restraint and seclusion. According to 2011-2012 CRDC data, although only 10% of California students have disabilities<sup>29</sup>, they account for 90% of students who are physically restrained and over 80% of students who are isolated in seclusion. This confirms what is seen nationally - that students with disabilities are subject to restraint and seclusion at dramatically higher rates than students without disabilities.

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<sup>29</sup> The US DOC OCR reports 10% of Students enrolled are served by IDEA. Available at: <https://www2.ed.gov/about/offices/list/ocr/docs/crdc-discipline-snapshot.pdf>. The California Department of Education reports 9.9% of students have disabilities affecting their education. Available at: <http://www.lao.ca.gov/reports/2013/edu/special-ed-primer/special-ed-primer-010313.aspx#2>

**Ratio of Students with & without Disabilities  
Subject to Restraint or Seclusion as Compared with Total Enrollment**



Description of graph: A bar graph showing that in the 2011 to 2012 school year, children with disabilities made up 10 percent of student enrollment and students without disabilities made up the other 90 percent. Out of all students who were subject to restraint, 90 percent were children with disabilities and 10 percent were children without disabilities. Out of all students who were subject to seclusion, 82 percent were children with disabilities and 18 percent were children without disabilities.

These figures are alarming in that not only are students with disabilities subject to restraint or seclusion at such drastically higher rates but also that students without disabilities are also subject to these practices. In California, restraint or seclusion of students without disabilities is completely unregulated and unmonitored.

## **V. FINDINGS**

### **1. By all available measures, the use of restraint and seclusion in schools is concerning.**

The use of restraint and seclusion is concerning. In the 2011-2012 school year, there were over 22,000 emergency interventions involving students with disabilities, the majority of which likely involved either restraint or seclusion. Because this data did not capture restraint or seclusion used as a planned intervention in an IEP or when it was repeatedly used for a student's predictable behavioral problems, it is likely that this is only a portion of the actual number of restraint and seclusion events.

It is also clear that the use of restraint and seclusion is increasing. From 2005 to 2012, the use of emergency interventions increased over 120%. Advocates and others are concerned that the use of restraint and seclusion may increase with the elimination of the requirement that school personnel implement positive behavior intervention and supports (PBIS) when faced with challenging student behaviors that interfere with learning.

### **2. California has failed to implement laws limiting the use of restraint and seclusion in schools and promoting the use of proven preventative measures.**

In 2012, when California codified the decades old regulations pertaining to emergency interventions, legislators failed to enact minimal safeguards regarding the use of restraint and seclusion. California failed to adopt amendments that ban the use of chemical or mechanical restraint or prohibit techniques that endanger children. California failed to adopt provisions that ensure that classroom staff do not use restraint or seclusion for punishment or discipline. Legislators failed to adopt the principles recommended by the US DOE and adopted by other states across the country.

The Legislature intentionally did not codify longstanding regulatory provisions that required PBIS in behavior plans, citing cost savings. School personnel are no longer required to take specific steps to proactively and positively address serious behaviors of students with disabilities. Positive behavioral interventions are recognized by the US DOE and education experts as a leading strategy to address dangerous behavior that results in the use of restraint or seclusion. By failing to codify longstanding regulatory provisions that required PBIS in behavior plans, the Legislature disregarded best practices for identifying and reducing problematic student behaviors that limit the use of seclusion and restraint.

### **3. California lacks a reliable data collection and reporting process.**

In California, there is no reliable data accurately documenting the number of students who are restrained or secluded. While SELPAs previously collected some data, it was not comprehensive and, at best, only provided statistics about emergency behavioral interventions. It did not specifically collect information on restraint and seclusion. The emergency behavioral intervention statistics did not include data about the planned use of restraint or seclusion, such as when used pursuant to a BIP or IEP, or collect data when used outside of an emergency for behavior that was no longer unpredictable.

Despite federal CRDC mandatory data collection requirements, restraint and seclusion use reported by California schools is unreliable and is likely a significant underreporting of the actual use. This is evidenced by some of the largest California school districts reporting not a single incident of restraint or seclusion of any student for two entire schools years in their CRDC data. In both report years, seven of the state's ten largest school districts reported no incidents of restraint or seclusion.

## 10 Largest School Districts: Reported Restraint & Seclusion Use

School District	Estimated Enrollment	2009-10 # of Restraint & Seclusion	2011-12 # of Restraint & Seclusion
Los Angeles Unified	688,000	0	0
San Diego	132,000	124	133
Long Beach Unified	88,000	0	0
Fresno Unified	77,000	50	0
Elk Grove Unified	62,000	0	0
Santa Ana Unified	58,000	0	10
San Francisco Unified	55,000	0	0
San Bernardino City Unified	55,000	1	6
Capistrano Unified	53,000	0	0
Corona-Norco Unified	52,000	0	0

Historically, California has only collected information regarding the use of restraint and seclusion with students in special education. There is little familiarity and no reliable system for reporting and data collection outside of SELPAs with general education students. Restraint and seclusion are not defined in Education Code. Without clear, accurate definitions of what information is being collected, any data that is collected is unreliable.

A number of school districts have reported that the US DOE OCR merely requires school districts to report information that they already collect. Since California does not require schools to collect statistics regarding restraint and seclusion use, most school districts do not collect this information and reported zero incidents. According to OCR staff, the US DOE has little enforcement authority when schools do not comply with data reporting requirements or inaccurately report information in their CRDC.

#### **4. The California Department of Education has failed to take a leadership role in developing guidelines regarding the use of restraint and seclusion.**

In July 2009, Arne Duncan, Secretary of the US DOE, issued a [letter](#) to state school officers expressing his deep concern about the information presented in the GAO report. He encouraged every State to develop, or review and revise as needed, their state policies and guidelines regarding the use of restraint and seclusion in school to ensure that every student is safe and protected from being unnecessarily or inappropriately restrained or secluded. Leaders in the California Department of Education have taken no visible public action in response. While stakeholder meetings were convened, they were focused on changes to behavioral intervention services under the new law and did not meaningfully address restraint or seclusion practices.

In meetings with Disability Rights California, the Director of Special Education has stated that the use of restraint or seclusion is a matter for local school districts to address. And, with repeal of the Hughes Bill regulations, the Department of Education has no authority to specifically monitor or regulate the use of restraint, seclusion, or emergency interventions in California schools or provide additional oversight or corrective action in school districts with high reported rates of use.

## **VI. RECOMMENDATIONS**

### **Recommendation 1: The California Legislature should enact legislation that establishes minimum protections regarding the use of restraint and seclusion in California schools.**

California should enact legislation consistent with recommendations from the US DOE, the US Secretary of Education and numerous other states that sets minimal safeguards for the use of restraint and seclusion with school children – standards generally required in every other setting in California where restraint and seclusion are used. Minimally, this must include:

- Defining restraint and seclusion consistent with definitions used by the US DOE in their CRDC.
- Prohibiting the use of dangerous practices, including techniques that restrict a child's breathing or harms the child.
- Prohibiting from use restraint or seclusion in any situation other than when the child's behavior poses imminent danger of serious physical harm to self and requiring that it be discontinued as soon as imminent danger has dissipated.
- Excluding the use of mechanical and chemical restraint in schools.
- Ensuring that schools have policies that require heightened attention and review by school administrators and behavioral experts when restraint or seclusion are used repeatedly with an individual child or within the same classroom or by the same school personnel.

The Legislature is encouraged to review and consider adopting the additional recommended principles that the US DOE encouraged states to implement to reduce the use of restraint and seclusion in schools.

### **Recommendation 2: Schools must be required to collect and publicly report data regarding the use of physical restraint and seclusion.**

Review and analysis of data on the use of restraint and seclusion is essential to establishing the scope of use and focusing efforts at targeted reform. Data should be collected on the use with all students, not just students with disabilities. School leaders should collect and analyze data minimally with each school term (quarter or trimester) to detect patterns and trends, adjust practices in areas of

high or increasing use, and borrow best practices for schools with infrequent and diminishing use.

The public and parents should be informed about data regarding a school or school district's restraint and seclusion use. Parents may rely upon this information in making decisions about which schools or school district to enroll their children. Reporting requirements to the California Department of Education must be reinstated and the Department of Education should restore public access to this information.

In order to begin accurate data collection, the terms restraint and seclusion must be defined. These definitions should be consistent with definitions established by the US DOE Office of Civil Rights in the CRDC.

**Recommendation 3: Schools must be required to develop and implement initiatives that reduce and eliminate the use of restraint and seclusion, including PBIS.**

The Legislature is urged to codify longstanding regulatory provisions that required PBIS in behavior plans. Minimally, schools should be required to implement established behavioral strategies that address the underlying cause of problematic behaviors that result in the use of restraint or seclusion. Repealing these provisions has left schools without requirements to develop and implement effective, established methods for addressing challenging behaviors that interfere with students with disabilities from learning.

Schools have a diverse population of students with a wide array of experiences as well as educational, emotional, and behavioral needs. Although the primary goal of schools is to educate students, schools also must address issues that interfere with a student's education. Strategies to support learning, with an increased emphasis on behavioral change and promoting pro-social skills, are often a core component of the education schools provide. The California Department of Education should promote implementation of established initiatives that reduce and eliminate the use of restraint and seclusion.

**Recommendation 4: The California Department of Education must ensure that school personnel receive training in crisis de-escalation techniques and behavioral strategies that teach students alternative appropriate behavior.**

There are schools within California and across the country that have eliminated the use of restraint and seclusion by establishing a culture that supports students' achieving social and academic gains and achievement while minimizing



behavioral problems. These schools have adopted a school-wide culture and approach focused on building positive behavior in all students. Students with behavioral challenges often have behavior support plans that include a continuum of individualized interventions and help teach the student appropriate behaviors to supplant their challenging behaviors.

These schools ensure that all personnel are trained in de-escalation and restraint avoidance techniques and consistently implement the school-wide culture that promotes social and academic performance and minimizes problem behaviors. The California Department of Education must ensure that school personnel receive training and periodic coaching in restraint avoidance techniques and skills to defuse crisis and conflict situations. School personnel must also receive training in positive behavioral interventions and other established techniques to help students learn alternative behaviors to those that interfere with learning.

## **VII. CONCLUSIONS**

In 2013, with passage of AB 86 in the budget trailer process, California missed an opportunity to have a thoughtful discussion regarding laws and regulations governing the use of behavioral interventions for children with challenging behaviors. The resulting statutory provisions not only fell short of adopting nationally recognized principles but took a step in the wrong direction, dropping data collection and reporting requirements and no longer requiring that schools implement established behavioral strategies that address the underlying cause of problematic behaviors.

It is time for California to examine and adopt requirements that specifically address the use of restraint and seclusion in schools and ensure students are provided with minimum safeguards when restraint and seclusion are used.

## APPENDIX A

Key Policy Letters Signed by the Education Secretary or Deputy Secretary  
July 31, 2009

July 31, 2009

Dear Chief State School Officers:

On May 19, the Education and Labor Committee in the U.S. House of Representatives held a hearing to examine the abusive and potentially deadly misapplication of seclusion and restraint techniques in schools. Related to this hearing was the testimony issued on the same day by the Government Accountability Office on "Seclusions and Restraints: Selected Cases of Death and Abuse at Public and Private Schools and Treatment Centers." The testimony is available on the Internet at the following Web address:  
<http://www.gao.gov/new.items/d09719t.pdf>.

I was deeply troubled by the testimony, as I am sure you would have been. As education leaders, our first responsibility should be to make sure that schools foster learning in a safe environment for all of our children and teachers. Therefore, I am encouraging each State to review its current policies and guidelines regarding the use of restraints and seclusion in schools to ensure every student is safe and protected, and if appropriate, develop or revise its policies and guidelines.

My home State of Illinois has what I believe to be one good approach, including both a strong focus upon Positive Behavior Intervention and Supports (PBIS) as well as State regulations that limit the use of seclusion and restraint under most circumstances (see <http://www.isbe.state.il.us/rules/archive/pdfs/oneark.pdf>). The State's requirements, which I found to be extremely helpful as chief executive officer of the Chicago Public Schools, were described in testimony at the hearing. Illinois prohibits the use of seclusion or restraint for the purpose of punishment or exclusion, and allows trained staff to restrain students only in narrow circumstances. The State allows the use of isolated time out or physical restraint only in situations when it is absolutely necessary to preserve the safety of self or others; includes rules that must be followed when these techniques are used; and requires documentation of each incident to be provided to parents within 24 hours. Several other States have also adopted effective seclusion and/or restraint policies, but there are many jurisdictions that have not, leaving students and teachers vulnerable.

Approximately 8,000 schools across the country are already implementing PBIS, a systems approach to establishing the social culture needed for schools to achieve social and academic gains while minimizing problem behavior for all children. PBIS provides a framework for decision making that guides the implementation of evidence-based academic and behavioral practices throughout the entire school, frequently resulting in significant reductions in office disciplinary referrals, suspensions, and expulsions. While the successful implementation of PBIS typically results in improved social and academic outcomes, it will not eliminate all behavior incidents in a school. However, PBIS is an important preventative approach that can increase the capacity of the school staff to support children with the most complex behavioral needs, thus reducing the instances that require intensive interventions.

The American Recovery and Reinvestment Act provides significant one-time resources that districts can use to implement a school-wide system of PBIS. Districts could, consistent with program requirements, use funds provided for the State Fiscal Stabilization Fund, Title I of the Elementary and Secondary Education Act, the Individuals with Disabilities Education Act, and State and local funds to provide professional development, develop data systems, and offer coaching to establish and sustain these programs. The Department's Office of Special Education Programs funds the Center on Positive Behavioral Interventions and Supports, with a Web site (<http://www.pbis.org/>) where additional information and technical assistance on PBIS can be obtained free of charge.

I urge each of you to develop or review and, if appropriate, revise your State policies and guidelines to ensure that every student in every school under your jurisdiction is safe and protected from being unnecessarily or inappropriately restrained or secluded. I also urge you to publicize these policies and guidelines so that administrators, teachers, and parents understand and consent to the limited circumstances under which these techniques may be used; ensure that parents are notified when these interventions do occur; and provide the resources needed to successfully implement the policies and hold school districts accountable for adhering to the guidelines.

I encourage you to have your revised policies and guidance in place prior to the start of the 2009-2010 school year to help ensure that no child is subjected to the abusive or potentially deadly use of seclusion or restraint in a school. I have asked Fran Walter of our Office of Elementary and Secondary Education to work with staff from our regional Comprehensive Centers to contact your office by August 15, to discuss the status of your State's efforts with regard to limiting the use of seclusion and restraint to protect our students. During this contact, we expect to discuss relevant State laws, regulations, policies, and guidance that affect the use of seclusion and restraint, and any plans for further development or revisions. We expect to post the results of these discussions on the Department's Web site to assist in the sharing of information that will help protect our students.

In the meantime, please feel free to contact Ms. Walter at ☎ (202) 205-9198 or at [Fran.Walter@ed.gov](mailto:Fran.Walter@ed.gov) with any information or questions about your State's efforts to limit the use of restraints and seclusion in schools.

Thank you for your cooperation on this important topic.

Sincerely,

/s/

Arne Duncan

## **APPENDIX B**

### **U.S. Department of Education 15 Principles Regarding Use of Restraint and Seclusion in Schools**

1. Every effort should be made to prevent the need for the use of restraint and for the use of seclusion.
2. Schools should never use mechanical restraints to restrict a child's freedom of movement, and schools should never use a drug or medication to control behavior or restrict freedom of movement (except as authorized by a licensed physician or other qualified health professional).
3. Physical restraint or seclusion should not be used except in situations where the child's behavior poses imminent danger of serious physical harm to self or others and other interventions are ineffective and should be discontinued as soon as imminent danger of serious physical harm to self or others has dissipated.
4. Policies restricting the use of restraint and seclusion should apply to all children, not just children with disabilities.
5. Any behavioral intervention must be consistent with the child's rights to be treated with dignity and to be free from abuse.
6. Restraint or seclusion should never be used as punishment or discipline (e.g., placing in seclusion for out-of-seat behavior), as a means of coercion or retaliation, or as a convenience.
7. Restraint or seclusion should never be used in a manner that restricts a child's breathing or harms the child.
8. The use of restraint or seclusion, particularly when there is repeated use for an individual child, multiple uses within the same classroom, or multiple uses by the same individual, should trigger a review and, if appropriate, revision of strategies currently in place to address dangerous behavior; if positive behavioral strategies are not in place, staff should consider developing them.
9. Behavioral strategies to address dangerous behavior that results in the use of restraint or seclusion should address the underlying cause or purpose of the dangerous behavior.

10. Teachers and other personnel should be trained regularly on the appropriate use of effective alternatives to physical restraint and seclusion, such as positive behavioral interventions and supports and, only for cases involving imminent danger of serious physical harm, on the safe use of physical restraint and seclusion.
11. Every instance in which restraint or seclusion is used should be carefully and continuously and visually monitored to ensure the appropriateness of its use and safety of the child, other children, teachers, and other personnel.
12. Parents should be informed of the policies on restraint and seclusion at their child's school or other educational setting, as well as applicable Federal, State, or local laws.
13. Parents should be notified as soon as possible following each instance in which restraint or seclusion is used with their child.
14. Policies regarding the use of restraint and seclusion should be reviewed regularly and updated as appropriate.
15. Policies regarding the use of restraint and seclusion should provide that each incident involving the use of restraint or seclusion should be documented in writing and provide for the collection of specific data that would enable teachers, staff, and other personnel to understand and implement the preceding principles.

## APPENDIX C

Disability Rights California used the following 11 requirements specifically to the application of behavioral restraints or seclusion to evaluate compliance of each state's laws or regulations with the 15 US DOE recommendations in Appendix B above. Recommendations peripheral to restraint or seclusion application, such as staff training and school policies, were not included.

Factors
States with laws that:
1. Limit the restraint of children with disabilities to emergencies involving an immediate risk of physical harm or serious physical harm.
2. Prohibit the use of seclusion with children with disabilities or restrict the use to emergencies involving an immediate risk of physical harm or serious physical harm.
3. Require restraint and/or seclusion to end when the emergency ends for children with disabilities.
4. Prohibit the use of seclusion or restraint to discipline or punish children.
5. Explicitly bans all restraint techniques that obstruct breathing or that threaten life for children with disabilities.
6. Allow restraint only as last resort when less restrictive measures fail or would be ineffective for children with disabilities.
7. Ban mechanical restraint use with children with disabilities.
8. Prohibit chemical restraints for all children, including children with disabilities.
9. Require schools to apprise parents when their child with a disability was restrained or secluded.
10. Require continuous direct observation of students while in seclusion (includes states that prohibit seclusion entirely noted with check mark).
11. Requires training of staff in safe and appropriate use of seclusion or restraint.

## SCORECARD by STATE

Scoring of Restraint and Seclusion Laws By State												
State:	Factors Assessed:											Total Score:
	1	2	3	4	5	6	7	8	9	10	11	
Alabama	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	10
Alaska	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	11
Arizona												0
Arkansas										✓		1
California			✓			✓			✓			3
Colorado	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	10
Connecticut	✓			✓	✓				✓		✓	5
Delaware	✓		✓		✓	✓		✓	✓	✓		7
Florida					✓				✓			2
Georgia	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	10
Hawaii		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	10
Idaho												0
Illinois	✓		✓	✓			✓	✓	✓	✓	✓	8
Indiana	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	10
Iowa				✓	✓	✓	✓	✓	✓	✓	✓	8
Kansas*	✓	✓			✓		✓	✓	✓			6
Kentucky		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	10
Louisiana	✓	✓	✓	✓	✓	✓	✓		✓	✓		9
Maine	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	11
Maryland					✓	✓			✓	✓	✓	5
Massachusetts	✓		✓	✓	✓	✓	✓	✓	✓		✓	9
Michigan												0
Minnesota		✓	✓	✓	✓	✓			✓	✓	✓	8
Mississippi												0
Missouri												0
Montana							✓		✓	✓		3
Nebraska												0
Nevada		✓	✓							✓		3



Scoring by State Continued												
State:	Factors Assessed											Total Score:
	1	2	3	4	5	6	7	8	9	10	11	
New Hampshire	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	10
New Jersey												0
New Mexico												0
New York				✓		✓			✓	✓	✓	5
North Carolina									✓		✓	2
North Dakota												0
Ohio	✓	✓	✓	✓		✓	✓	✓	✓			8
Oklahoma												0
Oregon	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	10
Pennsylvania	✓	✓		✓		✓	✓		✓	✓		7
Rhode Island	✓		✓	✓	✓	✓		✓	✓	✓	✓	9
South Carolina												0
South Dakota												0
Tennessee	✓	✓		✓	✓		✓		✓	✓	✓	8
Texas		✓	✓						✓	✓	✓	5
Utah									✓			1
Vermont	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	10
Virginia												0
Washington					✓				✓	✓		3
West Virginia			✓	✓	✓		✓		✓		✓	6
Wisconsin	✓	✓	✓		✓	✓	✓	✓	✓	✓		9
Wyoming		✓		✓	✓		✓		✓	✓		6
Total Number of States:	20	20	23	23	23	23	23	19	35	26	23	

*\*Note: Disability Rights Kansas, the Kansas Protection & Advocacy agency, has expressed concerns that Kansas law does not comply with the six standards identified.*

Description of graph: A chart listing the largest school districts in California, the estimated enrollment for each of the included districts, the number of reported incidents of restraint and seclusion in 2009 to 2010 for each district, and the number of reported incidents of restraint and seclusion in 2011 to 2012 for each district. The Los Angeles Unified School District had an estimated enrollment of 688,000 students and reported zero incidents of restraint or seclusion in 2009-

2010 and 2011-2012. San Diego School District had an estimated enrollment of 132,000 and reported 124 incidents of restraint and seclusion in 2009-2012 and 133 incidents of restraint and seclusion in 2011-2012. Long Beach Unified School District had an estimated enrollment of 88,000 and reported zero incidents of restraint or seclusion in 2009-2010 and 2011-2012. Fresno Unified School District had an estimated enrollment of 77,000 and reported 50 incidents of restraint and seclusion in 2009-2012 and zero incidents of restraint and seclusion in 2011-2012. Elk Grove Unified School District had an estimated enrollment of 62,000 and reported zero incidents of restraint or seclusion in 2009-2010 and 2011-2012. Santa Ana Unified School District had an estimated enrollment of 58,000 and reported zero incidents of restraint and seclusion in 2009-2012 and 10 incidents of restraint and seclusion in 2011-2012. San Francisco Unified School District had an estimated enrollment of 55,000 and reported zero incidents of restraint or seclusion in 2009-2010 and 2011-2012. San Bernardino City Unified School District had an estimated enrollment of 55,000 and reported 1 incident of restraint and seclusion in 2009-2012 and 6 incidents of restraint and seclusion in 2011-2012. Capistrano Unified School District had an estimated enrollment of 53,000 and reported zero incidents of restraint or seclusion in 2009-2010 and 2011-2012. Corona-Norco Unified School District had an estimated enrollment of 52,000 and reported zero incidents of restraint or seclusion in 2009-2010 and 2011-2012.

We want to hear from you! After reading this report please take this short survey and give us your feedback.

English version: <http://fs12.formsite.com/disabilityrightsca/form54/index.html>

*Disability Rights California is funded by a variety of sources, for a complete list of funders, go to <http://www.disabilityrightsca.org/Documents/ListofGrantsAndContracts.html>.*

***The California Mental Health Services Authority (CalMHSA) is an organization of county governments working to improve mental health outcomes for individuals, families and communities. Prevention and Early Intervention programs implemented by CalMHSA are funded by counties through the voter-approved Mental Health Services Act (Prop 63). Prop. 63 provides the funding and framework needed to expand mental health services to previously underserved populations and all of California's diverse communities.***



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