A Systems Approach to Limiting or Eliminating the Use Restraint and Seclusion in Schools

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Abstract

Despite the long-term negative outcomes associated with restraining and secluding students, these practices are frequently used in schools, with disproportionate use on students with disabilities. Based on recent guidance from the U.S. Justice Department's Civil Rights Division, misusing these practices violates student rights under the Americans with Disabilities Act. This policy document aligns with research findings that seclusion and physical restraint should only be used in emergencies and only as a last resort. This article intends to provide three systems-level changes to reduce or eliminate the use of restraint and seclusion in schools: implement schoolwide positive behavior intervention and supports, support students in crisis, and include families in an ongoing collaboration process.

Key Words

restraint, seclusion, positive behavior intervention and supports, collaboration, supporting students in crisis, systems approach

On September 12, 2022, federal officials said that the Cedar Rapids Community School District, the second-largest school district in Iowa, inappropriately used seclusion and physical restraint on children with disabilities from 2019—2021 (Pitt, 2022). The U.S. Department of Justice announced that the school district must stop using seclusion rooms and provide professional development using alternative strategies to support students with disabilities who display problem behaviors at school. These changes would be made in 30 days following the Justice Department's ruling (Pitt, 2022). Considering the State Board of Education's enactment of new guidelines in November 2020 that restricted the use of seclusion and physical restraint only as a last resort when a threat of bodily injury was imminent, data indicated that the school district used seclusion rooms for inappropriate reasons (Pitt, 2022).

Students with disabilities are more likely to experience exclusionary discipline, including seclusion, restraint, corporal punishment, suspension, and expulsion (U.S. Department of Education Office for Civil Rights [OCR], 2012). During the 2017-18 school year, more than 100,000 students with disabilities were secluded and restrained in U.S. public schools. During this pre-COVID era, there were almost 51 million public school students in the United States, and students with disabilities under the Individuals with Disabilities Education Act represented 13% of the school population (nearly seven million students). Yet, these students represented 80% of all students subjected to physical restraint and 77% of students subjected to seclusion (OCR, 2020). Physical restraints have been applied to manage the aggressive and challenging behaviors of students with behavioral difficulties (Lan et al., 2017; Singh et al., 2009) though mental health and disability advocacy organizations also have formed significant opposition to the use of these practices in schools (Ryan et al., 2009).

According to the OCR (2012), *physical restraint* is defined as "a personal restriction that immobilizes or reduces the ability of an individual to move his or her arms, legs, or head freely" (p. 10). The use of physical restraint in response to aggressive and challenging behaviors has been highly controversial (Shenton & Smith, 2021), as physical restraints failed to decrease the behaviors they were intended to address (OCR, 2012). *Seclusion* is "the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving" (OCR, 2012, p.10). As of 2019, 41 states adopted this definition (Butler, 2019).

On July 19, 2022, the OCR and Office of Special Education and Rehabilitative Services (OSERS) issued updated guidance about seclusion and restraint. In addition to emphasizing seclusion and restraint as ineffective strategies, this report also pointed out that these practices can violate a student with a disability's civil rights. Instead of these punitive, reactive measures, schools can implement proactive alternative strategies to ensure that all students receive educational opportunities, support, and services to meet their needs.

Leaders are well-suited to be change agents at the systems level. Previous research indicates that successful organizational change in schools is largely related to school leaders (Beycioglu & Kondakci, 2021). This paper aims to describe three systems changes that school leaders can implement to reduce or eliminate the use of restraint and seclusion in schools: implement schoolwide positive behavior intervention and supports, support students in crisis, and include families in an ongoing process of collaboration.

Three Systems Changes to Limit or Eliminate Restraint and Seclusion

As a school leader considers ways to limit or eliminate the restraint and seclusion of students with disabilities in their schools, three changes are recommended: (a) implement school-wide positive behavior intervention and supports, (b) support students in crisis, and (c) include families in the ongoing process to enhance school-family collaboration. In this section, we will define each recommendation and describe the role of school leaders in enacting these changes.

1. Implement School-wide positive behavior intervention and supports

Students with persistent behavior difficulties are best supported in positive, predictable, and preventative school environments (Scheuermann et al., 2022). Schoolwide Positive Behavior Intervention and Supports (SW-PBIS) is an evidence-based process to prevent or reduce challenging behaviors and help to promote a positive school climate (PBIS, 2022). SW-PBIS is a multi-tiered system of support that implements positive and preventive interventions for all students, with increasing support based on student needs (Scheuermann et al., 2022; Sugai & Horner, 2009). With decades of preventative philosophy and research, PBIS has been arranged into a three-tiered framework, including universal (Tier 1), targeted small group (Tier 2), and intensive individualized (Tier 3) interventions (Simonsen & Sugai, 2013).

Tier 1 interventions create a school environment that conforms to best practices in instruction and classroom management (Pinkelman & Horner, 2019). To achieve the best effect in a schoolwide approach, stakeholders and teachers collaboratively choose student behavior expectations (Pinkelman & Horner, 2019). School personnel use direct instruction to teach, model, and practice expectations in various school settings (i.e., classroom, lunchroom, hallway, and outside the building). Teachers also provide error correction contingent on problem behaviors and reinforce appropriate behaviors while teachers collect data on treatment integrity and student behavior (Pinkelman & Horner, 2019). Based on these data, stakeholders make pertinent decisions and solve problems effectively. If a student's behaviors do not improve with Tier 1 interventions, they can move to Tier 2 interventions.

Tier 2 small-group interventions emphasize moderate-intensity supports that deal with the most prevalent needs of students with persistent problem behaviors (Horner & Sugai, 2015). In the regular classroom environment, 15% to 30% of students will not respond to Tier 1 interventions (Sugai & Horner, 2009). Students with ongoing problem behaviors need extra structure, frequent antecedent prompts, more positive recognition, and elevated training in both behavioral expectations and self-regulation skills (Horner & Sugai, 2015). To support these students, Tier 2 involves a team of staff members who have a background in behavior intervention and can support these students, such as school psychologists, physical/occupational therapists, school counselors, and special educators.

If a student does not respond to Tier 1 and Tier 2 interventions, they will move into a more specialized and individualized intervention in Tier 3 (Sugai & Horner, 2009). Tier 3 supports are intended for 5% or fewer students and include intensive, individualized, and long-term intervention (Horner & Sugai, 2015; Scheuermann et al., 2022). Specifically, Tier 3 provides a comprehensive functional-based intervention (Pinkelman & Horner, 2019). Tier 3 intervention includes implementing functional behavior assessment, integrating academic and mental health

assessments, and scaffolding a function-based support plan (Pinkelman & Horner, 2019). Therefore, Tier 3 is a high-intensity intervention to support fewer students through a variety of aspects such as behavioral, academic, mental health, physical, social, and contextual variables (Horner & Sugai, 2015)

According to the Center on Positive Behavior Intervention and Supports (2022), funded by the U.S. Department of Education, the first step in establishing SW-PBIS is to form a leadership team. This team will include a school administrator, family representative, classroom teachers, school personnel with behavior and coaching expertise, and an individual with knowledge of student academic and behavior patterns. The school leader's next task is to assess what is already in place because positive behavior practices will likely be implemented in parts of the school (Center on PBIS, 2022). The final step in this beginning process is to solidify SW-PBIS basics. School leaders play a critical role in promoting the high-quality implementation of interventions (Debnam et al., 2013) through a carefully coordinated organizational system, including teaming, data for decision-making, and ongoing professional development to promote evidence-based intervention practices (Kittelman et al., 2022). For example, school leaders provide sustainable professional development opportunities and more motivation, direction, and strategies to support their staff in implementing intervention practices (Debnam et al., 2013; Oakes et al., 2014).

In Tier 1, school personnel use direct instruction to teach appropriate behaviors for all students across school settings, including students with disabilities who display problem behaviors. Before delivering behavioral instruction, school personnel determine who may need additional support using valid and reliable schoolwide behavior screening tools (Schonour et al., 2021). Next, school personnel

explicitly teach schoolwide expectations. One tool developed for this purpose is the Rules by Routines Matrix (Robbie et al., 2022). For example, if one schoolwide expectation is "be respectful," school personnel work together to operationalize the behaviors in schools: walking quietly in the hallway, eating their food in the cafeteria, using library books with care, and taking turns with classroom equipment (Robbie et al., 2022). Operationalizing expected behaviors might also bring order to congested hallways, disorganized cafeterias, and unstructured playground times (Scheuermann et al., 2022). Visual reminders such as posters can support students in meeting schoolwide expectations (Scheuermann et al., 2022).

The focus of SW-PBIS is rewarding appropriate behaviors rather than punishing problem behaviors. Positive reinforcement is provided verbally, combined with a token reward frequently. High Five Tickets is one strategy that can encourage appropriate student behaviors (Scheuermann et al., 2022). When a teacher observes a student engaging in a school's High Five schoolwide expectations, the teacher presents the student with a ticket and behavior-specific praise (Scheuermann et al., 2022). Students may put their names on the tickets for various reinforcers, such as a preferred snack, lunch with their best friend in another class, or a class-wide celebration. According to one study, SW-PBIS achieved an 82% decrease in physical restraints and a 99% decrease in seclusions (Wilson et al., 2022).

Students with challenging behaviors may require more time, support, and individualized instruction in Tiers 2 and 3. Implementing Tiers 2 and 3 interventions is more costly, resource-intensive, and complex (Kittelman et al., 2022). For example, school personnel may need to provide additional coaching support for initial training and coordination during the first few weeks

(approximately 2-3 weeks) of implementing intervention practices (Kittelman et al., 2022). School leaders are tasked to provide extensive resources and maximize school funding, and ensure teachers have sufficient time and energy to utilize the resources to serve students in Tier 2 and Tier 3 (Debnam et al., 2013; Oakes et al., 2014). The availability of PBIS implementation resources can be reflected in the data system, material, space, people, and time (Kittelman et al., 2022).

A data system with physical and digital versions is needed to track student identification and assessment and monitor implementation fidelity across evidence-based practices and student outcomes (Kittelman et al., 2022). School leaders may need to provide teachers with available materials with physical and digital versions of manuals, handouts, forms, incentives, equipment for training and coaching, and SW-PBIS leadership team coordination (Kittelman et al., 2022). School leaders provide time in their faculty and staff schedules for implementation activities, training and coaching activities, and team coordination meetings (Kittelman et al., 2022). With sufficient ongoing coaching support, school personnel may also consider adequate time for teachers to design and deliver evidence-based classroom intervention practices and data collection (Kittelman et al., 2022).

Due to the requirements of team-based leadership, data-based decision-making, continuous monitoring of student behavior, regular universal screening, and effective ongoing professional development, SW-PBIS is a process that takes up to one year for full implementation (Ohio PBIS Network, n.d.). The school leader's sustained support for implementation fidelity is essential for success. As part of this systemic change, a school leader may consider guidance from Spiro (2022): coach teachers during classroom visits, mentor

new teachers and leaders, provide internships for aspiring leaders, and develop relationships with community partners. For instance, an aspiring school leader may chair the SW-PBIS leadership team. Community partners may donate money or resources for tangible rewards in the school-wide system of supports. An experienced teacher may mentor a new teacher unfamiliar with SW-PBIS to provide positive reinforcement to their students. The Center for PBIS website (2022) includes free tools for school and district leaders wanting to implement SW-PBIS, including contact information for state-level PBIS representatives. While SW-PBIS applies to all students in a school and will effectively reduce or eliminate the use of restraints and seclusion, there may be emergency situations in which students are in crisis at school. In addition to implementing the SW-PBIS process, leaders may implement a formal program to address extremely challenging behaviors that will further reduce the likelihood of using restraints or seclusions.

2. Support students in crisis

After school personnel have provided Tier 1 universal interventions, Tier 2 targeted small group interventions, and Tier 3 intensive individualized interventions, students with the highest behavioral needs may still require crisis or treatment plans (Nunno et al., 2022). While the IEP team will make these decisions, school personnel may advance their professional development to understand students' challenging behaviors through seminars, podcasts, and activities such as Youth Aggression, Medication and Psychiatric Practice Guidelines, and Anger Management for Youth. (Slaatto et al., 2021). Chaparro et al. (2022) suggested that another strategy school personnel can implement to reduce challenging behaviors is team-initiated problem-solving (TIPS). In one study, schools that implemented problem-solving skills through TIPS training statistically decreased the rate of out-of-school

suspensions and office disciplinary referrals through early screening, solutions provided in a precise manner, and student-focused problem-solving meetings (Chaparro et al., 2022).

School personnel benefit from developing their knowledge and skills in professional development to build successful academic and behavioral classroom environments and effectively provide individualized instruction for students with challenging behaviors (Tölli et al., 2021). For example, Tölli et al. (2021) revealed that a school leader might provide Management of Actual or Potential Aggression (MAPA) training on a district-allocated professional development day. MAPA provides professional guidance in verbal de-escalation, prevention, early intervention, imminent risk, and challenging behaviors (Tölli et al., 2021). Through MAPA training, school personnel will learn strategies in risk assessments, trauma-informed care, alternative communication, and emphatic listening to address challenging behaviors. Other potential types of professional development include conducting functional behavior assessment (FBA), developing behavior intervention plans (BIPs) in collaboration with the IEP team, reporting problematic behaviors to families promptly, conducting direct observations, and training students in self-reporting procedures (Trader et al., 2017; Musa & Dergaa, 2022). From a legal perspective, school leaders should also provide professional development about district and state guidelines for restraint and seclusion early in the school year.

Despite best efforts to reduce or eliminate restraint and seclusion in schools, some students may experience unpredictable crises requiring a higher level of intervention. Leaders may consider implementing a specific crisis response program to train school personnel to respond appropriately to a student in crisis. Possible programs include (a)

Collaborative Problem-Solving, (b) Non-violent Resistance, (c) Therapeutic Crisis Intervention, (d) Behavior Analysis Services Program Training; and (e) Trauma Affect Regulation and Do the Good (Couvillon et al., 2010; Gink et al., 2020). Schools can select the most appropriate program based on their specific needs. Regardless of the chosen program, the ultimate success largely depends on an administrator's commitment to supporting the training process. Ideally, school leaders will have experience in different levels of behavioral programs with students who demonstrate problem behaviors, sufficient knowledge of functional assessment and reinforcement procedures, referral networks to support school personnel's needs in handling difficult cases, and a strong ability to develop relationships with families and other stakeholders (Eikeseth et al., 2009).

3. Include families in the ongoing process to enhance school-family collaboration

The final suggestion for reducing or eliminating the use of restraints and seclusions in schools is to engage families in the ongoing process. While leaders may be hesitant to share their data about using restraints and seclusion, doing so may provide greater accountability in the organizational change process. Evidence shows that collaboration between schools and families has been closely related to how well school personnel are satisfied with their jobs and improved student academic and social outcomes (Witte et al., 2021). Similarly, greater communication between schools and families promotes more positive attitudes from families (Witte et al., 2021). Such two-way communication and shared responsibility through collaboration can connect school personnel and families to focus on students' physical and mental well-being (Witte et al., 2021). School leaders can engage families in ongoing collaboration in four ways: invite families to discuss the process, train school

personnel to engage families effectively, and examine power dynamics in relationships.

One way to improve school-family collaborations is to invite families to discuss prevention strategies, share schedules of reinforcement, and provide individualized instruction plans (Center on PBIS, 2022). If families cannot attend in-person meetings, school personnel can provide virtual meetings using online platforms like Google Meet, Zoom, or Skype. Also, school personnel can coach families to implement intervention plans at home to achieve the best behavioral effects across environments (Center on PBIS, 2022). Other methods to develop school-family collaborations include two-way home-school communication (i.e., home-school notebook) and shared decision-making conferences (Witte et al., 2021). For example, school personnel may regularly email copies of Schoolwide Information Data attached with a summary and provide document guidance about intervention plans for their child(ren) (Wilson et al., 2022; Schonour et al., 2021). Teachers influence and empower students and parents (Olivos et al., 2010). The teacher is often the person whom families trust most in schools. Therefore, it might be in the student's best interest if school personnel consider allowing teachers to provide the information or any related support and service during school-family collaborations.

Another way school leaders can engage families is to train school personnel to involve families by establishing clear goals and communicating adequately verbally and nonverbally (Witte et al., 2021). For instance, speaking calmly while offering a warm smile may be important when communicating with families with limited English language proficiency (Witte et al., 2021). Leaders further support school-family collaboration by guiding school personnel in identifying and reducing their personal biases that negatively impact student learning (Witte et al., 2021). Many

schools and districts administer annual school climate surveys to elicit family feedback. Surveys can be administered through online links, paper surveys, and school computers to improve response rates. Care should be taken to offer these surveys in participating families' first language.

A final way school leaders can engage families is to examine collaborative efforts and ensure that all stakeholders share power during school-family collaborations (Olivos et al., 2010). Families should be given time to ask questions, express their opinions, and discuss their concerns (Olivos et al., 2010). Generally, families desire school personnel to respect their children through empathy, sensitivity, compassion, and kindness, treating them as equals during decision-making (Haine et al., 2015). In meetings, school personnel also protect parents from solely accepting the perspectives of other stakeholders by asking for feedback about evaluation and treatment services. Interaction and services in school-family collaborations can be improved with shared power. To achieve shared power, school personnel can perform a self-analysis that indicates prompt and appropriate changes (Olivos et al., 2010). For instance, a school leader may develop the master schedule to include school and family conferences during the day and evening to allow access for parents and caregivers who work multiple jobs.

Restraint and seclusion should only be used as a last resort in emergency situations when there is an immediate threat of serious bodily harm to the student in crisis or other students. A parent or legal guardian has the right to be informed when their child is subjected to restraint or seclusion. If all other preventative techniques have been exhausted, and a child is restrained or secluded, they should be immediately informed about the frequency, intensity, and duration of the seclusion or restraints (Gagnon et al., 2017). In

response, the parent/guardian has the right to ask for evidence, data, and patterns that may help them understand their children's behavior and performance at school (Kern, 2021).

Discussion

The COVID-19 global pandemic has been connected to the increased prevalence of mental health issues (OCR, 2021). Children and adolescents' behavioral and mental well-being was significantly influenced, increasing the number of challenging behaviors negatively impacting families and schools (Musa & Dergaa, 2022). Many elementary and secondary school children with disabilities experienced interruptions in school-based services and supports that impacted their academic growth, resulting in persistent learning gaps for students with disabilities (Musa & Dergaa, 2022). According to the Office for Civil Rights (2021), students with disabilities and mental health needs have also been impacted behaviorally. For instance, students with attention deficit hyperactivity disorder (ADHD) experienced greater demands on their concentration; students with depressive disorders experienced isolation and loneliness; and students with generalized anxiety disorder faced uncertainty about the future.

Before COVID-19, students with disabilities were more likely to be restrained and secluded than their typically developing peers (U.S. Department of Education & Office for Civil Rights, 2020). Restraints can be traumatic for students and staff for various reasons; physically, developmentally, or psychologically, students who may already be vulnerable are at greater risk (Nunno, 2022), putting student-teacher relationships at risk and leading to detachment in the classroom. Restraints can cause injuries and death to children, leading to reforms such as banning

supine, prone, or all floor restraints on young children (Nunno, 2022). Without federal regulations related to seclusion and restraint, school leaders are responsible for understanding and implementing state, district, and school policies to maintain students' civil rights. Amidst increasing teacher and staff turnover in schools, leaders strengthen professional development, especially among new employees, to help them integrate effective strategies into their daily practices.

When faced with aggressive behaviors, school personnel's ability to de-escalate the student's behavior could positively impact the outcome. Evidence shows that schools and stakeholders can decrease the likelihood of seclusion and physical restraint through proactive and preventative strategies (Wilson et al., 2022). This paper offered three systems-level organizational changes to reduce or eliminate restraints and seclusion in schools. School leaders can use their influence to implement SW-PBIS, an evidence-based program to train relevant school personnel for the few students who may experience a crisis in schools (Couvillon et al., 2010; Gink et al., 2020), and to increase family involvement in these processes.

Conclusion

Although many state policies only allow for seclusion and physical restraint in emergency situations, there has been consistent overuse of students with disabilities in non-emergency situations in public school settings. To reduce this likelihood, school leaders need to implement systems-level changes. These practices, programs, and strategies will help build a safe and positive school environment for all students, including those with behavioral challenges.

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Developing Comprehensive School Safety and Mental Health Programs

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Irwin et al. (2022) developed a report, Indicators of School Crime and Safety: 2021, as a joint effort by the National Center for Education Statistics (NCES) and the Bureau of Justice Statistics (BJS), which indicated the percentage of public schools implementing safety and security measures increased between the years 2000—2010 and 2019—2020, with some security measures increasing by as much as 20-30%.

As schools increasingly develop comprehensive safety programs, Jeffrey C. Roth and Terri A. Erbacher's book, *Developing Comprehensive School Safety and Mental Health Programs*, comes at a crucial time and is a must-read for any member of the K-12 education community looking to develop school safety and mental health programs within their school.

Roth and Erbacher (2022) define the term school safety at the introduction of the book by stating it as:

"school attributes that constitute the condition and perception of physical and psychological safety such that students, educators, families, and members of the school community function in a secure learning environment that is reasonably free from fear of harm or disruption" (p. 7).

Roth and Erbacher acknowledge that the term can be ambiguous for some and delivers an operational definition to form a common language between the authors and readers. They (2022) also recognize the vital relationship between school safety and mental health by stating that when the learning environment is safe and supportive, those within the environment experience mental wellness and readiness to learn.

This connection between school safety and mental health is essential to note because it provides an understanding that school administration must address both issues as they develop a comprehensive program for it to be effective.

With this linkage, Roth and Erbacher identify schools' need to develop a multi-tiered, comprehensive, and efficient school safety plan while addressing the many challenges in