

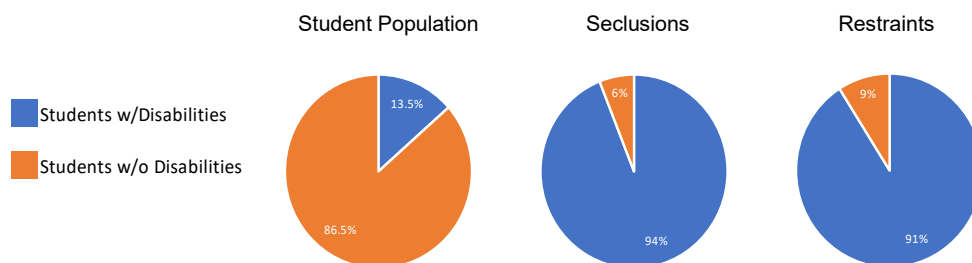


SECLUSION AND RESTRAINT: PARENT DOCUMENT

This information is being provided to inform you about seclusion and restraint of students in Michigan public schools. The use of seclusion and restraint is prohibited by law in Michigan’s public schools, except for narrow exceptions for emergency seclusion and emergency physical restraint. As noted in the [Restraint and Seclusion: Resource Document](#) from the U.S. Department of Education, “the use of restraint and seclusion can, in some cases, have very serious consequences, including, most tragically, death. There is no evidence that using restraint or seclusion is effective in reducing the occurrence of the problem behaviors that frequently precipitate the use of such techniques.” It is important that parents and schools work together to support children’s needs in order to increase positive outcomes and prevent the use of seclusion and restraint in school.

The document will discuss general information, Positive Behavioral Interventions and Supports (PBIS), definitions of emergency seclusion and emergency physical restraint – what it is and what it isn’t, required documentation, questions and discussion suggestions to use post-seclusion and restraint.

Seclusion and restraint is used disproportionately on students with disabilities and [may lead to a denial of a free appropriate public education \(FAPE\)](#).



Students with disabilities make up 13.5% of the student population, yet they account for 94% of reported seclusions (46,111 out of 49,087 total) and 91% of reported restraints (40,676 out of 44,808 total) in Michigan in 2017-2022 [MI School Data - Use of Seclusion and Restraint](#)

GENERAL INFORMATION

In 2006, The Michigan Department of Education, State Board of Education adopted “Supporting Student Behavior: Standards for the Emergency Use of Seclusion and Restraint”. In December 2016, the State of Michigan adopted [new laws](#) restricting the use of seclusion and restraint in schools to emergency situations. Michigan Department of Education [Policy for the Emergency Use of Seclusion and Restraint](#) was adopted in March 2017.

POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS (PBIS)

[PBIS](#) is a framework supporting schoolwide practices to promote safe schools by supporting social, learning, behavioral and emotional needs of all students. The PBIS framework is proven to work in educational settings and offers both classroom and schoolwide levels of support. It can be used by educators, parents, or other professionals.

PBIS includes the use of functional assessments, often called [functional behavioral assessments \(FBAs\)](#). FBA is a way to define the unwanted behavior and gather information (data) on what may be triggering and contributing to the continuation of the unwanted behavior. The FBA becomes the basis for developing a [behavior intervention plan \(BIP\)](#) which outlines a plan to reduce or replace the unwanted behavior with more acceptable behavior or responses. The



focus of the BIP is to reduce behavior as a barrier to learning. The BIP should be revised as the student's needs change. [Family Matters Positive Behavior Interventions and Supports \(PBIS\) at School Fact Sheet](#)

EMERGENCY INTERVENTION PLAN (EIP)

An EIP is a written plan which is developed in partnership with parents and schools when a student shows a pattern of behavior that could result in the use of emergency seclusion or emergency physical restraint. The EIP is a plan to protect the health, safety, and dignity of the student. [MCL 380.1307h\(d\)](#) outlines steps the school must document when writing an EIP.

Emergency Seclusion is a last resort emergency safety intervention involving seclusion that is necessitated by an ongoing emergency situation and that provides the student an opportunity to regain self-control while maintaining safety of the student and others. Seclusion means the confinement in a room or other space from which the student is physically prevented from leaving. Emergency seclusion must be in accordance with [MCL 380.1307](#) and [Policy for the Emergency Use of Seclusion and Restraint](#)

Emergency Physical Restraint is a last resort emergency safety intervention involving physical restraint that is necessitated by an ongoing emergency situation and provides an opportunity for the student to regain self-control while maintaining the safety of the student and others. Restraint means an action that prevents or significantly restricts a student's movement. Find information about "physical restraint", "chemical restraint", and "mechanical restraint" here

[MCL 380.1307\(h\) Policy for the Emergency Use of Seclusion and Restraint](#)

EMERGENCY SECLUSION AND EMERGENCY PHYSICAL RESTRAINT ARE **NOT** PERMITTED:

If the seclusion or restraint is used:

- for the convenience of school personnel
- as a substitute for an educational program
- as a form of discipline or punishment
- as a substitute for less restrictive alternatives
- as a substitute for adequate staffing
- as a substitute for school personnel training in positive behavioral intervention and support
 - as prohibited by law
 - based on documented records made available to the school, including a student's disability, health care needs; or medical or psychiatric condition

FOR INFORMATION ABOUT THINGS THAT ARE **NOT CONSIDERED RESTRAINT, SEE [MCL 380.1307H\(P\)](#)**

SOME EXAMPLES ARE:

- An adult briefly holds a student to calm or comfort
- Minimal contact to physically escort a student from one area to another
- Minimal contact to help a student complete a task as long as the child does not resist
- Holding a student for a brief moment to prevent an impulsive behavior that threatens immediate safety, such as running in front of a car



DOCUMENTATION

According to [MCL 380.1307d](#) schools must:

- document in writing and report in writing or orally ANY use of seclusion and restraint, including the use of emergency seclusion and emergency physical restraint, immediately to the school building administration and the student's parent. An example of documentation is in the [MDE Model Seclusion and Restraint Form](#). A school district may create their own form for this report.
- after each incident a written report for each use of seclusion or restraint must be provided to the parent within the earlier of 1 school day or 7 calendar days (this includes multiple uses of seclusion or restraint within a given day).
- after any use of seclusion or restraint, school personnel must make reasonable efforts to debrief with the parent and the student, as appropriate, regarding the determination of future actions. This debrief should be documented on the Seclusion and Restraint Debriefing Form [MDE Model Debrief Form](#)

QUESTIONS TO ASK AND THINGS TO CONSIDER

- If your child is struggling in school, it is important to find out why. [Set up a meeting](#) with your child's educational team to discuss what is needed to support your child in school. Document the meeting and follow up with the team for next steps. A facilitated meeting by a neutral third party can be requested through [Special Education Mediation Services](#).
- If your child has behavioral needs that are not being addressed, [make a request, in writing](#), for a functional behavioral assessment (FBA) and follow up with the development of a Behavior Intervention Plan (BIP) to proactively address your child's unmet needs. Request that a behavior specialist be a part of your child's team.
- Share with the team what positive interventions work for your child at home and in the community. The environments are different than school but it's a place to start and might give some insight into what motivates your child.
- Keep and monitor data and meet regularly as a team to discuss whether the positive behavioral interventions are working, or if the plan needs to be revised. If PBIS interventions are not working, determine why.
- If your child was secluded, meet as soon as possible with the team, observe the space used, and ensure that there is an effective plan in place to prevent future usage.
- Review the [seclusion and restraint form](#) provided by the school. Make sure all areas are completed and ask questions if you need further clarification.

Michigan Alliance for Families <https://www.michiganallianceforfamilies.org/>

Disability Rights Michigan <https://www.drnich.org/>

Michigan Department of Civil Rights <https://www.michigan.gov/mdcr>

Michigan Department of Education - Special Education Information Line 888.320.8384; Email: mde-ose@michigan.gov

Family Matters Fact Sheets [MDE Family Matters Seclusion and Restraint Fact Sheet](#)

Michigan Advocates to End Seclusion and Restraint - Parent Guide <https://www.endsar-mi.org/parents>