

Restraint & Seclusion in Texas Schools

Restraint of students with disabilities in Texas

Restraint refers to physical force to restrict a student's movement. Restraint may only be used by school personnel in an emergency.

What is restraint?

Restraint is the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of a student's body.

What is not restraint?

Restraint does not include:

- physical contact or prescribed adaptive equipment to promote body positioning or physical functioning,
 - example: proper use of equipment prescribed by a physical or occupational therapist
- limited physical contact to promote safety,
 - example: holding a student's hand when crossing the street
- physical contact to prevent a student from harming himself,
 - example: preventing a student from running into traffic
- physical contact to teach a skill, redirect attention, provide guidance to a location, or provide comfort,
 - examples: guiding a student's hand to teach him how to hold a pencil, tapping a student's arm to redirect attention, turning a student to point him toward the drinking fountain, giving a hug to comfort a crying student
- limited physical contact or prescribed adaptive equipment to prevent a student from engaging in on-going, repetitive self-injurious behaviors, when used in conjunction with student learning to reduce or prevent the need for ongoing intervention, or
- seat belts and other safety equipment used to secure students during transportation.

When can restraint be used?

Restraint on a student with a disability may only be used in an emergency in which the student's behavior poses a threat of:

- imminent, serious physical harm to himself,
- imminent, serious physical harm to others,
- imminent, serious property destruction, or
- some combination of the above.

The restraint must end when the emergency no longer exists.

What kind of training is required for school personnel?

A core team of personnel on each school campus must be trained in the use of restraint. The team must include any special education personnel likely to use restraint. Training on the use of restraint must

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include prevention and de-escalation techniques and provide alternatives to the use of restraint. If a staff member performs a restraint without previously receiving training, then that staff person must receive training within 30 days of the first use of restraint.

What other protections are there?

During a restraint: The restraint must be limited to the reasonable force necessary to address the emergency. The restraint must not deprive the student of basic human necessities, such as the ability to breathe.

After a restraint: Parents or guardians must receive detailed notification of the use of restraint. The Texas Education Agency has a sample [written summary of restraint use](#) available on its website. Documentation must also be placed in the student's special education eligibility folder so that the information will be available to the student's ARD committee. Schools must also report to the Texas Education Agency.

Seclusion of students with disabilities in Texas.

Texas' law on seclusion of students with disabilities is straight and to the point: don't do it. A student with a disability who receives special education services may not be placed in seclusion as either a discipline management practice or a behavior management technique. The only exception to this rule involves the rare situation where an armed student must be confined to prevent bodily harm to the student or others.

What is seclusion?

Seclusion is a behavior management technique in which a student is confined in a locked space that is designed solely to exclude a person and contains less than 50 square feet of space.

What is not seclusion?

Seclusion is distinguished from the use of "time-out" which involves separating a student from other students to allow the student to regain self-control in a setting where the student is not locked or blocked in. Texas rules address when time-out may be used as well, and require that time-out only be used in conjunction with positive behavior intervention strategies.

When can seclusion be used?

Seclusion may almost never be used in a school. It may be used in an emergency where a student possesses a weapon and confinement is necessary to prevent the student from causing bodily harm to the student or another person and school district personnel are awaiting the arrival of law enforcement.

Seclusion may also be used in certain court-ordered placements and does not apply to juvenile probation, detention, or corrections personnel.