

Louisiana needs Regulations on the use of Restraints and Seclusion with Students

What Legislators Can Do: Pass legislation to regulate the use of restraints and seclusion that:

1. Limit the use of restraints and seclusion to only emergency situations, not as treatment procedures. Restraints and seclusion should only be allowed when there is imminent physical danger to the student or others.
2. Prohibit the use of restraints and seclusion as punishment, as a means to force compliance or as a substitute for appropriate educational interventions.
3. Limit prescribed assistive devices exclusively to their intended purpose (i.e., not as mechanical restraint devices).
4. Prohibit the use of any maneuver that places pressure or weight on the chest, lungs, sternum, diaphragm, back, neck, or throat.
5. Require training related to the use of restraints and seclusion for any school personnel employing such tactics.
6. Require documentation on the use of restraints and seclusion and data reported to the Louisiana Department of Education.
7. Require individualized emergency, safety and behavioral support plans to be developed and implemented for any student whose behavior could reasonably be predicted to pose a danger to themselves or others.
8. Ensure that all seclusion environments are safe, humane and inspected annually.
9. Require that any student placed in seclusion be continuously observed by an adult for the entire period of the seclusion.

Facts about Restraints and Seclusion in Education

- In Louisiana, children's rights are protected from the unnecessary and/or inappropriate use of restraints and seclusion in any other setting than school (i.e., hospitals, residential settings, juvenile detention centers, etc.)^{1,2}
- Thirty-one states have regulations or policies on the use of restraints in schools and twenty-four states have policies on the use of seclusion in schools.³
- Children with disabilities are subject to experience death and abuse caused by inappropriate restraints and seclusion.⁴

¹ [Children's Health Act of 2000 amended Title V of the Public Health Service Act; Part H – Requirements Relating to The Rights of Residents of Certain Facilities](#)

² [Regulations governing patients' rights for all hospitals participating in the Medicare and Medicaid programs § 482.13 Condition of participation: Patients' rights. \(e\)-\(f\).](#)

³ Ryan, J., Robbins, K., Peterson, R., & Rozalski, M. (2009). Review of State Policies Concerning the Use of Physical Restraint Procedures in Schools. *Education and Treatment of Children*, 32(3), 487-504.

⁴ [United States Government Accountability Office Testimony before the Committee on Education and Labor, House of Representatives: Seclusions and Restraints: Selected cases of Death and Abuse at Public and Private Schools and Treatment Centers](#) May 19, 2009