EXCLUSION, SECLUSION AND RESTRAINT: THE GRANDMA TEST

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TAKE-AWAYS

- If your grandma thinks something is wrong, it is probably wrong!!
- You will never go wrong if what you want to do is good for kids and families
- Unpack the data
- Prevention is paramount
- Restraint or seclusion only in the case of imminent danger of serious physical harm to self or others
State of the Art vs. The Grandma Test
DOES A RISING TIDE FLOAT ALL BOATS?
Suspensions and Expulsions

Academic Year

2010-2011
2011-2012
2012-2013
2013-2014
Suspensions and Expulsions

White
Suspensions and Expulsions

White

Hispanic
Suspensions and Expulsions

White
Hispanic
Black
Suspensions and Expulsions

Students with Disabilities (SWDs)

White

Hispanic

Black
Suspensions and Expulsions

Students with Disabilities (SWDs)

Hispanic

Black

White

Hispanic

Black
Data
It’s Not About the Nail

http://www.youtube.com/watch?v=-4EDhdAHrOg
6 of 10 public school students (7th-12th grade)
As many as 95% for nonviolent behavior
- Disrespect
- Disruptive
- Tardiness
- Language
- Dress Code
SUSPENSION/EXPULSION

SC: 12.7%
ND: 2.2%

❖ Are kids in SC six times more likely to act out?
❖ Adult behavior needs to change
Suspensions and Expulsions

Academic Year

<table>
<thead>
<tr>
<th>Year</th>
<th>Black</th>
<th>Hispanic</th>
<th>White</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010-2011</td>
<td>0</td>
<td>0</td>
<td>46%</td>
</tr>
<tr>
<td>2011-2012</td>
<td>42%</td>
<td>19%</td>
<td>46%</td>
</tr>
<tr>
<td>2012-2013</td>
<td>49%</td>
<td>24%</td>
<td>27%</td>
</tr>
<tr>
<td>2013-2014</td>
<td>51%</td>
<td>26%</td>
<td>23%</td>
</tr>
</tbody>
</table>
Students Receiving Suspensions and Expulsions, by Race and Ethnicity

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Enrollment</th>
<th>Out-of-school suspension (single)</th>
<th>Out-of-school susp. (multiple)</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>51%</td>
<td>23%</td>
<td>22%</td>
</tr>
<tr>
<td>Two or more races</td>
<td>24%</td>
<td>33%</td>
<td>34%</td>
</tr>
<tr>
<td>Hispanic/Latino of any race</td>
<td>16%</td>
<td>36%</td>
<td>36%</td>
</tr>
<tr>
<td>Black/African American</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Native Hawaiian/Other Pacific Islander</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asian</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>American Indian/Alaska Native</td>
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</table>
Students Receiving Out-of-School Suspensions, by Disability (IDEA) Status

Students without disabilities: 6%
Students with disabilities (IDEA): 13%
Students referred to law enforcement or subjected to school-related arrests, by disability status (IDEA)
WHAT TO DO?

- Prevention
- MTSS
- Trauma Informed Care
- Culturally sensitive practices
- Unpack the data
- Adult behavior
WHAT TO DO?

- Now is the Time
- Discipline Guidance
- School Climate Transformation Grants
KEEP ALL STUDENTS SAFE ACT

http://www.youtube.com/watch?v=K239Glb77y4
Physical Restraint: Students with Disabilities
N= over 70,000

- Students enrolled in public schools:
  - Students with Disabilities: 88%
  - Students without Disabilities: 12%

- Students subjected to physical restraint:
  - Students with Disabilities: 75%
  - Students without Disabilities: 25%
Seclusion: Students with Disabilities
N= over 37,000

- Students enrolled in public schools:
  - Students with Disabilities: 12%
  - Students without Disabilities: 88%

- Students subjected to seclusion:
  - Students with Disabilities: 58%
  - Students without Disabilities: 42%
Across the nation, 75% of students subjected to physical restraint were classified as students with disabilities served by IDEA. Twenty-five (25) states had higher percentages than the national average.

In Nevada, Florida, and Wyoming, students with disabilities served by IDEA represented less than 15% of students enrolled in the state, but more than 90% of the students who were physically restrained in the state.
Students with Disabilities Subjected to Mechanical Restraint, by Race/Ethnicity

Students with disabilities (IDEA) subjected to mechanical restraint:

- White: 55%
- Two or more races: 2%
- Hispanic/Latino of any race: 21%
- Black/African American: 19%
- Native Hawaiian/Other Pacific Islander: 0.3%
- Asian: 1%
- American Indian/Alaska Native: 2%

- White: 47%
- Two or more races: 12%
- Hispanic/Latino of any race: 36%
- Black/African American: 36%
- Native Hawaiian/Other Pacific Islander: 0.1%
- Asian: 2%
- American Indian/Alaska Native: 2%
WHY WE CAN’T WAIT

- Restraint and seclusion have become a convenient means of disciplining students for behaviors that do not put student or classroom safety at risk (Government Accountability Office, 2009).
- There is no evidence that using restraint or seclusion is effective in reducing the occurrence of the problem behaviors that precipitate the use of such techniques (U.S. Department of Education, 2012).
- Restraint and seclusion are disproportionately used on students with disabilities (Office for Civil Rights, 2014).
- Students with disabilities disproportionately suffer death, injury, and trauma when subjected to restraint and seclusion (Butler, 2013).
Carson Luke, a 10-year-old student with autism, was regularly locked in a dark, separate room after any behavioral outbursts. Once, while trying to force Carson into the room and slam the door, his hand was crushed and punctured by a metal bolt.
WHY WE CAN’T WAIT

More than 1,000 times this past year, an Orange County, Florida public school student with a disability was held facedown on a mat, wrapped in a full-body restraint, or otherwise prevented from moving by a staffer.
WHY WE CAN’T WAIT

At least 20 children have died while being restrained or isolated within the last two decades. Among those deaths was that of a 13-year-old boy in Georgia who hanged himself after school officials gave him a rope to hold up his pants before they locked him in a room alone.
While there are moral and human rights concerns related to restraint and seclusion, there is increasing evidence that these techniques are also costly to individuals, school districts, and states.
SYSTEMIC COSTS

- Include workplace violence and organizational disruption.
ORGANIZATIONAL COSTS

- Involve the amount of time school personnel spend handling a seclusion or restraint issue (beginning to end).
PERSONAL COSTS

- Harm to persons restrained and/or secluded
- Opportunity costs
Example
Grafton School, Inc., a Virginia non-profit organization serving children and adults with autism and mental retardation, initiated an agency-wide restraint reduction effort in the Fall of 2004. The drastic agency-wide change came after a long history of using restraint to reduce behaviors, which increased risks of staff injuries, student injuries, increased liability premiums, and high number of staff attrition.
Leadership oversight and review of every event

Supporting clients in crisis

Providing staff with new training, tools, and management support
In four years, Grafton reduced restraint use by 99.8%.

Positive outcomes include:
- Reduced client related staff injuries by 41.2%
- Reduced staff turnover (10%) with estimated annual savings surpassing $500,000
- Reduced employee lost time and lost time expenses (94%)
- Reduced number of worker’s compensation claims (50%)
GRAFTON SCHOOL: FISCAL REWARDS

- Reduced total cost of worker’s compensation claims:
  - 2004: $160,000
  - 2008: $30,000
- Reduced liability premiums (21%) and cumulative savings in excess of $1,239,167
- More than $483,470 in cumulative worker’s compensation cost savings
- Cost to school?????
<table>
<thead>
<tr>
<th>Key Concepts</th>
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<tbody>
<tr>
<td>Resource document</td>
<td>Underlying cause</td>
<td></td>
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<tr>
<td>Purpose</td>
<td>Effective alternatives</td>
<td></td>
</tr>
<tr>
<td>Clearance</td>
<td>Mechanical-drug-medication</td>
<td></td>
</tr>
<tr>
<td>Safety</td>
<td>Dignity: free from abuse</td>
<td></td>
</tr>
<tr>
<td>No evidence of effectiveness</td>
<td>Review: multiple uses</td>
<td></td>
</tr>
<tr>
<td>Common sense: Grandma test</td>
<td>Training: alternatives and imminent harm</td>
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<tr>
<td>Prevention</td>
<td>Visual monitoring</td>
<td></td>
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<tr>
<td>Imminent danger</td>
<td>Parents: informed policies</td>
<td></td>
</tr>
<tr>
<td>All children</td>
<td>Parents: notification</td>
<td></td>
</tr>
<tr>
<td>Not punishment</td>
<td>Regular review of policies</td>
<td></td>
</tr>
<tr>
<td>Document</td>
<td>Documentation and use of data</td>
<td></td>
</tr>
<tr>
<td>No harm or restriction of breathing</td>
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LEADERSHIP LESSONS FROM DANCING GUY

http://www.youtube.com/watch?v=hO8MwBZI-Vc
The Department of Education firmly believes that one case of inappropriate use of restraint or seclusion is one case too many.
RESTRAINT AND SECLUSION: RESOURCE DOCUMENT


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