

Restrictive Procedures in Special Education: Children with Behavioral and Emotional Needs

Children with behavioral and emotional needs sometimes exhibit behaviors that create unsafe situations in school. School staff may use restrictive procedures (physical restraint or seclusion) only if the child's behavior causes an immediate safety concern.

Definition of restrictive procedures

A restrictive procedure is the use of **physical holding** (restraint) or **seclusion** of children with disabilities in an emergency to prevent harm to themselves and others.

- **Restraint:** means the holding of a child's body to limit dangerous movement and activity
- **Seclusion:** means placing the child in an isolated safe space, from which they cannot leave, to allow them time and space to calm down

Note: Staff must be able to observe your child in a registered seclusion room. The room used to seclude them must be well ventilated and free from objects that could cause injury to themselves or others.

Rules for restrictive procedures

When can restrictive procedures be used?

Only as an emergency measure when the child's behavior or actions could result in physical injury.

What does the law say about the use of restrictive procedures?

While the U.S. Department of Education provides guidelines for restrictive procedures, there are no related federal laws. Minnesota Statute 125A.0942, "Standards for Restrictive Procedures," outlines specific rules relating to restrictive procedures for special education students. The school district is required to have a **written restrictive procedures plan that is publicly available**.

The plan must include:

- Information on the restrictive procedures the school may use
- Links to mental health services and positive behavior strategies the school will implement
- Staff training in de-escalation techniques
- How restrictive procedures will be documented by school staff

Who can perform a restrictive procedure?

Only licensed special educators, school social workers, school psychologists, certified behavior analysts, and paraprofessionals who have received training in de-escalation techniques and the use of restrictive procedures.

What can I expect if the school uses a restrictive procedure on my child?

Schools must make an effort to inform parents the same day that a restrictive procedure is used on their child. Whether or not the school is able to contact you the same day a restrictive procedure is used, you should receive written notification within two days.

An Individualized Education Program (IEP) team meeting must occur within 10 calendar days of the use of restrictive procedures, if:

- Staff have used restrictive procedures on two days within a 30-calendar day period; or
- The parent or district request a meeting after a restrictive procedure is used

During the meeting, you and the rest of your child’s IEP team are required to review any relevant information, including documentation of any medical or psychological limitations provided by you or your child’s care team that explain why the use of restrictive procedures is harmful to your child. The IEP team must also consider any changes to your child’s education program to better meet their needs to help reduce the use of restrictive procedures.

Important note for parents:

The IEP or Behavior Intervention Plan may include information that restrictive procedures should not be used due to a medical or mental health condition. However, the district may take other actions, including involvement of law enforcement.

If restrictive procedures are used on 10 separate days in a school year, the team must consult with other professionals and consider a reevaluation.

Parent role in minimizing the use of restrictive procedures in school

An important first step to discuss reducing the need for using restrictive procedures is for you to review your child’s current IEP, Positive Behavior Intervention Plan, and most recent special education evaluation.

If your child’s current services and accommodations are not meeting their needs, you may request that the IEP team discuss changes to help reduce or prevent unsafe behaviors.

- **Consider re-evaluation, requesting a Functional Behavioral Assessment (FBA) and Positive Behavior Intervention Plans (PBIP)**
- **Consider adding other school supports**
 - o Ask if school-linked mental health services or Children’s Therapeutic Services and Supports are available¹
 - o Ask if school social workers, counselors, or other school support staff could provide services to your child
- **Consider creating crisis or safety plan** with defined steps detailing how to respond to your child’s escalating behaviors
- **Make sure your child’s IEP team has current documentation** of their mental health needs and information about how these needs may impact the safety of themselves or others
- **Share known triggers** and how to avoid them
- **Share de-escalation techniques** that work in the home and community
- **Communicate by email with your child’s IEP team** to ensure everyone is aware of important incidents or events
- **Be familiar with the school policies and rules** related to the student code of conduct and the restrictive procedures plan

¹ School-linked mental health and Children’s Therapeutic Services and Supports (CTSS) are co-located mental health services that may be available in your school. See resources on page 3 of this document for more information.

Remember, your child has a right to a free appropriate public education (FAPE) in the least restrictive environment (LRE) possible. While some children with mental health needs may struggle with unsafe behaviors in the school setting, the right supports can help them learn to manage their behaviors and be successful. Your child's school and IEP team should work with you to address concerns to reduce the use of restrictive procedures.

Additional PACER resources about supporting your child's mental health needs in school.....

Planning for a School Meeting About Your Child's Behavior

[PACER.org/parent/php/php-c144.pdf](https://www.pacer.org/parent/php/php-c144.pdf)

What is a Functional Behavioral Assessment and How is it Used? An Overview for Parents

[PACER.org/parent/php/php-c215a.pdf](https://www.pacer.org/parent/php/php-c215a.pdf)

Encourage Your Child's Positive Behavior and School Success: Creating a Home Plan with School-Wide Positive Behavior Interventions and Supports

[PACER.org/parent/php/PHP-c218a.pdf](https://www.pacer.org/parent/php/PHP-c218a.pdf)

Supporting Children with Mental Health and Behavioral Needs in Special Education: Positive Behavior Intervention Plans

[PACER.org/parent/php/PHP-c291a.pdf](https://www.pacer.org/parent/php/PHP-c291a.pdf)

Supporting Children with Mental Health and Behavioral Needs in Special Education: Crisis Plans

[PACER.org/parent/php/PHP-c291b.pdf](https://www.pacer.org/parent/php/PHP-c291b.pdf)

School and Community Supports: When and Where to Get Help

[PACER.org/cmh/getting-help](https://www.pacer.org/cmh/getting-help)

Call PACER Center at (952) 838-9000 or (800) 537-2237, email PACER@PACER.org, or go online to [PACER.org](https://www.pacer.org) for more information.