Use of Restraint and Seclusion in the School Setting

National Association of School Nurses

Position Statement

NASN POSITION

It is the position of the National Association of School Nurses (NASN) that restraint and seclusion should not be used in the school setting as a routine form of discipline. Restraints and seclusion should only be used when the child's behavior poses an imminent danger of serious physical harm to self or others (United States Department of Education, 2012). In addition, the registered professional school nurse (hereinafter referred to as the school nurse) is in a position to promote positive behavioral supports in the school setting. NASN believes that the school nurse is an essential advocate for the health and well-being of all students**.**

BACKGROUND AND RATIONALE

The United States Government Accountability Office (USGAO, 2019) defines the types of restraint and seclusion. Physical restraint is defined as "restricting a student's ability to freely move his or her torso, arms, legs, or head: it does not include a physical escort, such as temporary touching of the arm or other body part for the purpose of inducing a student who is acting out to walk to a safe location" (p. 2). Mechanical restraint is defined as "the use of any device or equipment to restrict a student's freedom of movement: this does not include vehicle safety restraints or medical devices" (p. 3). Lastly, seclusion refers to "involuntarily confining a student alone in a room or area from which he or she can not physically leave: it does not include timeout," which is defined as a behavior management technique for the purpose of calming (p.3).

The Every Student Succeeds Act (ESSA) (2016) states that school nurses play an important role in providing a safe and supportive learning environment. School nurses are Specialized Instructional Support Personnel (SISP) who provide related services to students in school. In this role, school nurses deliver school-wide approaches to school safety and assist in providing programs that promote supportive discipline practices (ESSA, 2016). ESSA also stipulates that local education agencies must improve school conditions that promote student learning and decrease disciplinary practices that remove students from the classroom and discontinue the use of aversive behavior interventions such as restraint and seclusion (Trader et al., 2017).

Seclusion in the form of time-out is the only discipline strategy recommended by the American Academy of Pediatrics (AAP) for all children. On the AAP Healthy Children site, a general guideline for time-out is advised not to exceed more than one minute per year of age (2020). AAP recommends healthy forms of discipline, such as "positive reinforcement of appropriate behaviors, setting limits, redirecting, and setting future expectations" (Sege & Siegel, 2018). School nurses should advocate that when time-out is part of a student's Individualized Education Program (IEP), appropriate implementation must be clearly outlined.

Data support that there is disproportionate use of seclusion and restraint against students with disabilities (Prince & Gothberg, 2019). The most recent government data available from school year 2017-2018 showed that 13% of all public school students were labeled as having an IDEA disability, but they accounted for 41% of students mechanically restrained, 80% of students physically restrained, and 77% of those secluded during that particular school year. Additionally, African American students comprise 18% of students with an IDEA disability but make up 26% of students with physical restraints, 34% of mechanical restraints, and 22% of seclusion. Hispanic or Latino students comprise 27% of all IDEA students and were only subjected to 14% of physical restraint, 28% of mechanical restraint, and 9% of seclusion. By contrast 48% of students with IDEA disabilities are Caucasian. They comprise 52% of physical restraint cases, 33% of mechanical restraint, and 60% of seclusions. In addition, gender differences were also noted. Boys comprise 66% of all IDEA eligible students; and yet they were subjected to 83% of physical restraint, 82% of mechanical restraint, and 84% of seclusion (United States Department of Education, 2020).

The most recent Department of Education initiative to address the inappropriate use of seclusion and restraint involves three components: compliance reviews through the Office of Civil Rights (OCR), Civil Rights Data Collection

(CRDC), and technical support for recipients of federal funding mandated to comply through OCR or Office of Special Education and Rehabilitative Services (OSERS) (U.S. Department of Education, 2019).

The Individuals with Disabilities Education Improvement Act of 2004 mandates that schools provide a free and appropriate public education (FAPE) and that those services are in the least restrictive environment (LRE). It also states that children should be in the general education setting for the maximum time possible and that intensive support may be necessary and must be provided (Trader et al., 2017). According to guidance given by OSERS, IEP teams must consider the use of positive behavioral interventions and supports, and other strategies, to address behavior that impedes the student's learning or the learning of others (Swenson & Ryder, 2016). School nurses are key members of the IEP team and should lend their expertise and consider the health needs of a student when Functional Behavior Assessments (FBA) are done and Behavior Support Plans (BSP) are written (Trader et al., 2017).

Positive behavioral supports should be universally adopted to avoid the use of restraint and seclusion and promote justice and equity for all students. School nurses must aid in ameliorating race and gender-based disparities in school discipline through changes in professional practice and the development of equitable policies. The Framework for 21st Century School Nursing Practice (NASN, 2016) states that our guiding principles should ensure that students are healthy, safe and ready to learn. Promoting a safe and secure environment is vital to the educational success and emotional development of children (NASN, 2016).

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Acknowledgment of Authors:
Megan Fioravanti, BSN, RN, NCSN
MaryAnn Strawhacker, MPH, BSN, RN, SEN
Pam Allsbrook, MSN, RN, NCSN

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"To optimize student health, safety, and learning, it is the position of the National Association of School Nurses that a professional registered school nurse is present in every school all day, every day"

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www.nasn.org
National Association of School Nurses
1100 Wayne Avenue, Suite 925
Silver Spring, MD 20910
1-240-821-1130