

POLICY RESEARCH BRIEF

THE UNRESTRAINED USE OF PHYSICAL RESTRAINTS IN SCHOOLS

INSTITUTE *on* COMMUNITY INTEGRATION | UNIVERSITY OF MINNESOTA

Research Issue

The U.S. Department of Education defines physical restraint as “a personal restriction that immobilizes or reduces the ability of a student to move his or her torso, arms, legs, or head freely.”

Because of the inherent dangers of physical restraints, laws and strict standards guide their use in most hospitals, prisons, and public law enforcement settings.

However, there are currently no federal laws or standards guiding the use of physical restraints in schools. Many states, including Minnesota, have adopted some regulations, but they vary in significance, application, and accountability.

“Fatalities occurred while children were placed in physical and mechanical restraints and in positions described as seated, prone (face down), side, or supine (face up) positions. Of the 63 fatalities related to physical restraint, 38 happened in a prone position, three in a basket hold, two in a seated position, and one in a side position.”

~Nunno et al 2022

Study Background

The US Department of Education Office of Civil Rights describes the statistics disproportionate use of physical restraint (2017-2018). More recent data has been reported but was not used due to effects of COVID and school closures.

The negative effects of restraints, particularly fatalities, were reviewed in a 2021 study by Nunno, et Al.

Key Findings

Using physical restraints in schools has many negative consequences.

(Nunno et Al., 2021.)

They are traumatic for all involved: those being restrained, those restraining, and passersby.

- They damage the relationship of students with their school staff.
- They do not correct original problem that lead to the restraint.

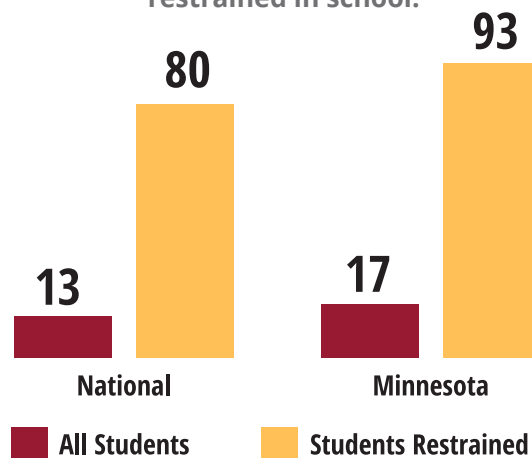
- They can lead to injury and death, particularly prone restraints.
- They are inconsistently reported and lack accountability.
- They are easily misused, e.g. punitively, in unwarranted circumstances, with improper technique.

During the 2017–2018 school year, 2459 children in Minnesota and 71,315 nationally were subject to physical restraint at school. (Department of Education Civil Rights Data, 2017–2018.)

Students with disabilities are more likely to be restrained in school.

Nationally, while 13% of all students receive special education services through the Individuals with Disabilities Education Act, 80% of students who are restrained in school receive special education services. In Minnesota, while 17% of students get special education services, 93% of students who are restrained in school receive special education services. (U.S. Department of Education.)

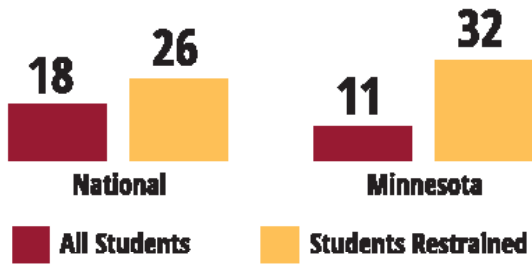
Percent of students with disabilities overall versus students with disabilities who are restrained in school.



Students with disabilities who are Black are more likely to be restrained in school.

Nationally, while 18% of all special education students are Black, 25% of special education students who are restrained in school are Black. In Minnesota, while 11% of special education students are Black, 32% of special education students who are restrained in school are Black. (U.S. Department of Education.)

Percent of students with disabilities who are Black overall versus those who are Black and are restrained in school.



Disparities in the use of restraints for students with disabilities and students with disabilities who are Black are greater in Minnesota than nationally.

The difference between students with or without disabilities who are restrained in school is 67% nationally and 76% in Minnesota. The difference between students with disabilities who are Black and those who are Black and restrained in school is 8% nationally and 21% in Minnesota.

Federal Keeping all Students Safe Act

The proposed federal Keeping All Students Safe Act would ban dangerous restraint practices that restrict children's breathing, create accountability for the rare acceptable uses of physical restraints in schools, and ensure training and oversight on proactive strategies. It has broad support from advocacy and professional organizations including:

- Council of Parent Attorneys and Advocates
- National Disability Rights Network
- TASH
- National Center for Learning Disabilities
- Center for Learner Equity
- Autistic Self Advocacy Network
- Alliance Against Seclusion and Restraint

Policy Recommendations

- Develop and enforce robust state laws restricting restraint, including banning prone restraint.
- Increase reliable reporting and accountability for schools using restraint and seclusion.
- Nurture positive safe school environments for all children.
- Implement trauma- and culturally-informed training, de-escalation training, oversight, restorative practices, and Positive Behavior Intervention Support (PBIS).
- Support proposed federal legislation restricting restraint and seclusion such as the Keeping All Students Safe Act.



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Nunno, M. A., McCabe, L. A., Izzo, C. V., Smith, E. G., Sellers, D. E., & Holden, M. J. (2022, June). A 26-year study of restraint fatalities among children and adolescents in the United States: A failure of organizational structures and processes. *In Child & youth care forum* (pp. 1-20). Springer US.

Civil Rights Data Collection (2017–2018). *United States Department of Education, Office for Civil Rights*. Washington, DC. <https://civilrightsdata.ed.gov/>

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The University of Minnesota stands on *Miní Sóta Makhóche*, the rightful homelands of the *Dakhóta Oyáte*. We recognize the U.S. did not uphold its end of these land treaties. It is the current and continued displacement of the *Dakhóta Oyáte* that allows the University to remain today.

Ongoing oppression and discrimination in the United States has led to significant trauma for many people of color, immigrants, people with disabilities, and other oppressed persons. At ICI, we affirm our commitment to address systemic racism, ableism and all other inequalities and forms of oppression to ensure inclusive communities.