



# Ohio

Positive Behavior Interventions and  
Support and Restraint and Seclusion  
2016-2017

September 2018

## **Acknowledgements**

### **OHIO DEPARTMENT OF EDUCATION STAFF**

Paolo DeMaria, Superintendent of Public Instruction

Stephanie K. Siddens, Ph.D., Senior Executive Director, Center for Curriculum and Assessment

Kim Monachino, Ed. D., Director, Office for Exceptional Children

Monica Drvota, Assistant Director, Dispute Resolution, Office for Exceptional Children

Jody Beall, Education Program Specialist, Resource Management, Office for Exceptional Children

Ludia Dorelien, Program Administrator, Office for Exceptional Children

M. Abigail Miller, Esq., Staff Attorney, Office of Professional Conduct

Ashley K. Hall, Ph.D., Social Science Research Specialist, Office for Exceptional Children

Emily Jordan, Education Program Specialist, Diverse Learners, Office for Exceptional Children

Heidi Kleinman, Complaint Coordinator, Office for Exceptional Children

Joseph Kujkowski, Education Program Specialist, Monitoring and Support, Office for Exceptional Children

Matthew Loesch, Social Science Research Specialist, Office for Exceptional Children

Michael Petrasek, Ed. D., Program Specialist for School Psychology and Behavioral Supports, Diverse Learners, Office for Exceptional Children

Adam Sandhoff, Education Program Specialist, Urban Support Office for Exceptional Children

Shauna Schramke, Education Program Specialist, Monitoring and Support, Office for Exceptional Children

Tracy Schurch-Thomas, LISW-S, Education Program Specialist, Office for Exceptional Children

# Positive Behavior Interventions and Support and Restraint and Seclusion

## HISTORY OF RESTRAINT AND SECLUSION INCIDENT REPORTING

In 2009, Ohio’s governor issued an executive order<sup>1</sup> establishing a statewide policy that prohibited the use of prone restraint and established limitations for the use of transitional hold and other types of physical restraint. The executive order also required state agencies to collaboratively create a state policy addressing restraint and seclusion, as well as individual agency policies. The Ohio Department of Education organized a stakeholder group comprised of educators, parents, higher education, and state and community agencies to work with the Department in the creation of the policy and rule.

In May of 2012, the U.S. Department of Education released a restraint and seclusion [resource document](#). Ohio’s policy and rule are, in part, based on the following 15 principles offered in the U.S. Department of Education resource document.

**Table 1. Fifteen-principle framework for restraint and seclusion state policies.**

1	Every effort should be made to prevent the need for the use of restraint and for the use of seclusion.
2	Schools should never use mechanical restraints to restrict a child’s freedom of movement, and schools should never use a drug or medication to control behavior or restrict freedom of movement (except as authorized by a licensed physician or other qualified health professional).
3	Physical restraint or seclusion should not be used except in situations where the child’s behavior poses imminent danger of serious physical harm to self or others and other interventions are ineffective and should be discontinued as soon as imminent danger of serious physical harm to self or others has dissipated.
4	Policies restricting the use of restraint and seclusion should apply to all children, not just children with disabilities.
5	Any behavioral intervention must be consistent with the child’s rights to be treated with dignity and to be free from abuse.
6	Restraint or seclusion should never be used as punishment or discipline (e.g., placing in seclusion for out-of-seat behavior), as a means of coercion or retaliation, or as a convenience.
7	Restraint or seclusion should never be used in a manner that restricts a child’s breathing or harms the child.
8	The use of restraint or seclusion, particularly when there is repeated use for an individual child, multiple uses within the same classroom, or multiple uses by the same individual, should trigger a review and, if appropriate, revision of strategies currently in place to address dangerous behavior; if positive behavioral strategies are not in place, staff should consider developing them.
9	Behavioral strategies to address dangerous behavior that results in the use of restraint or seclusion should address the underlying cause or purpose of the dangerous behavior.

<sup>1</sup> Executive Order 2009-13S, *Establishing Restraint Policies Including a Ban on Prone Restraints*

- 10 Teachers and other personnel should be trained regularly on the appropriate use of effective alternatives to physical restraint and seclusion, such as positive behavioral interventions and supports and, only for cases involving imminent danger of serious physical harm, on the safe use of physical restraint and seclusion.
- 11 Every instance in which restraint or seclusion is used should be carefully and continuously and visually monitored to ensure the appropriateness of its use and safety of the child, other children, teachers, and other personnel.
- 12 Parents should be informed of the policies on restraint and seclusion at their child's school or other educational setting, as well as applicable Federal, State, or local laws.
- 13 Parents should be notified as soon as possible following each instance in which restraint or seclusion is used with their child.
- 14 Policies regarding the use of restraint and seclusion should be reviewed regularly and updated as appropriate.
- 15 Policies regarding the use of restraint and seclusion should provide that each incident involving the use of restraint or seclusion should be documented in writing and provide for the collection of specific data that would enable teachers, staff, and other personnel to understand and implement the preceding principles.

Equipped with information from the stakeholder group and guidance from the U.S. Department of Education, the State Board of Education approved the [Policy on Positive Behavior Interventions and Support and Restraint and Seclusion](#) in January 2013. The related [administrative rule](#)<sup>2</sup> was adopted later that year. The policy and rule apply to all school districts in Ohio and went into effect the beginning of the 2013-2014 school year.

While the Department provides a [model policy](#) for districts, Ohio is a local control state in education; thus, each locally elected school board of education (not the Department of Education) has the authority to determine policy and establish procedures for many areas in accordance with Ohio school law. The Department's policy serves as guidance, but each school district must develop, publish, implement and monitor its own policy on the use of restraint and seclusion. The policy and rules require school districts to annually report information regarding its use of restraint and seclusion to the Department.

## RESTRAINT AND SECLUSION INCIDENT REPORTING

In previous years, the Department utilized an online survey platform for restraint and seclusion incident reporting, which had many limitations (for example, limited technical capabilities for responses) and restricted the analyses that could be conducted as a result. The Department began using a more robust data collection tool for this year's incident reporting, allowing the Department to collect restraint and seclusion data at the building level for the first time since the beginning of incident reporting in 2014. Data collection is more accurate at the building level compared to the district level, given a building staff's familiarity with its student data. However, more accurate and complete reporting lends itself to a perceived increase in restraint and seclusion incidents.

Collecting building-level data also allows the Department to provide more targeted support. Data collected from individual buildings allows for the Department to provide follow up and technical assistance in the following areas:

- Ensure all districts have adopted policies for restraint and seclusion for the current school year;
- Specific school buildings and districts are provided support around positive behavioral interventions and are invited to the Annual PBIS Showcase; and
- In-person trainings are provided to school buildings that are in the first stage of PBIS (Exploration and Adoption) for more than 12 months.

---

<sup>2</sup> R.C. 3301-35-15

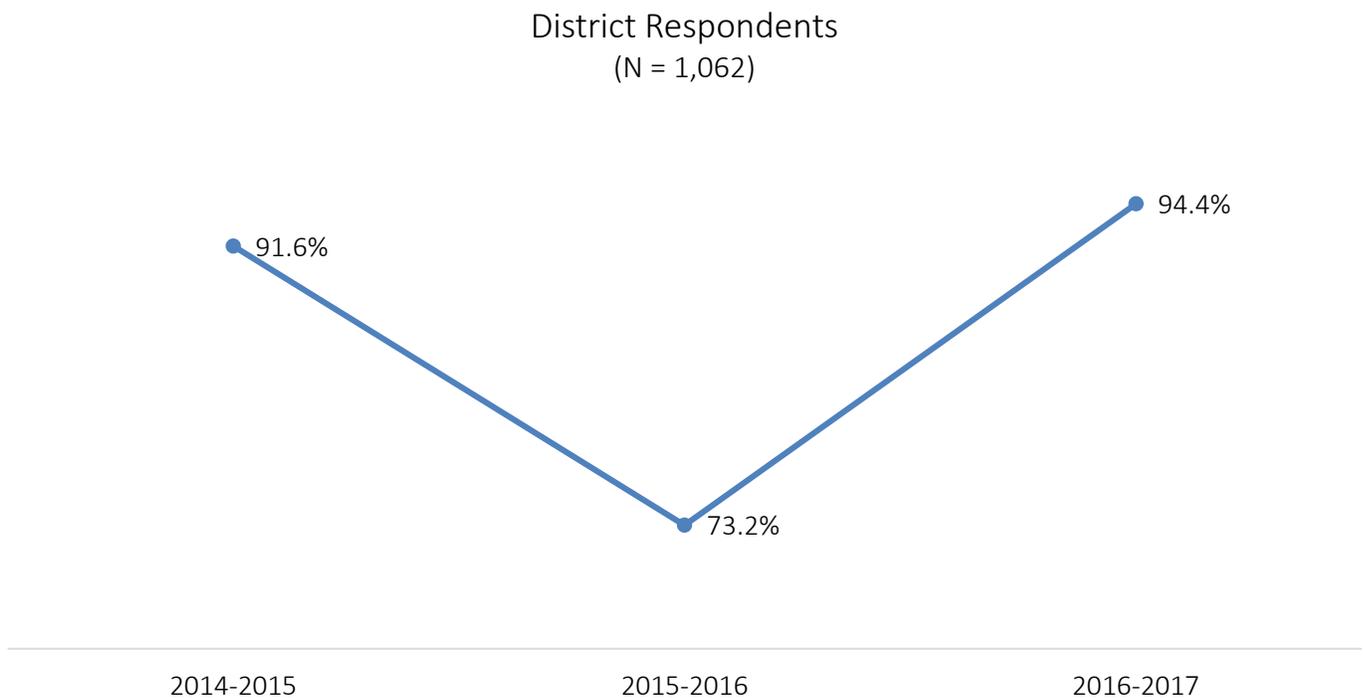
The Department expects that other areas of needed support and technical assistance will be identified through continued follow up with both responding and non-responding districts and buildings.

### Response Rate

Of the 1,062 districts in Ohio, 949 submitted a complete survey by the initial deadline, and the Department's follow-up initiatives brought that number to 1,003. The Department was diligent in engaging non-responding districts via individualized phone calls and emails to promote compliance with the state policy and rule. These initiatives raised the response rate from 89 percent to 94 percent, the highest response rate achieved since the beginning of restraint and seclusion incident reporting (see Figure 1). The data in this report reflects only those districts that submitted complete reports prior to the initial deadline. All analyses herein include all responding districts unless otherwise noted.

Fifty (1.5 percent) of the responding buildings are separate facilities serving students with disabilities from the regular education environment whose nature or severity of their disabilities is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.<sup>3</sup> These 50 schools will be identified as "separate facilities" within these analyses.

Figure 1. Restraint and seclusion incident reporting survey response rate.



Of the 1,003 total responding districts, 58 percent are public districts, 32 percent are community schools, 5 percent are educational service centers (ESC), and 5 percent are joint vocational school districts (JVSD). Figure 2 displays the division of responding districts by typology.

<sup>3</sup> Individuals with Disabilities Education Act (IDEA) 34 C.F.R. 300.114 [LRE requirements]

Figure 2. Percentage of responding districts in each typology.

### District Respondents by Typology 2016-2017

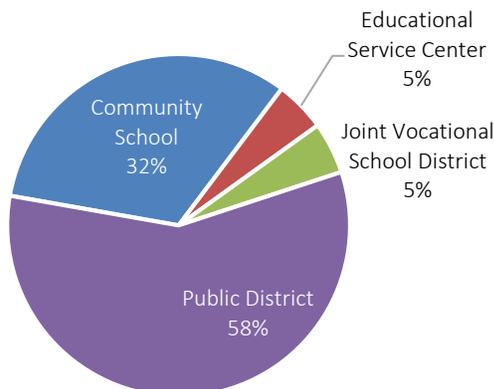
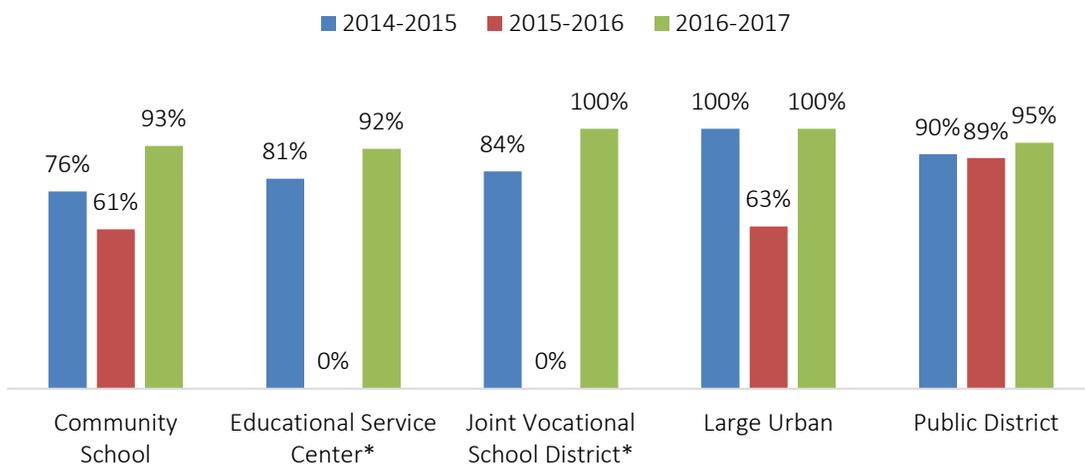


Figure 3 displays the responding districts within each typology over the last three years of restraint and seclusion incident reporting. There has been an increase in the percentage of district responses within each district typology.

Figure 3. Percentage of responding districts within each typology.

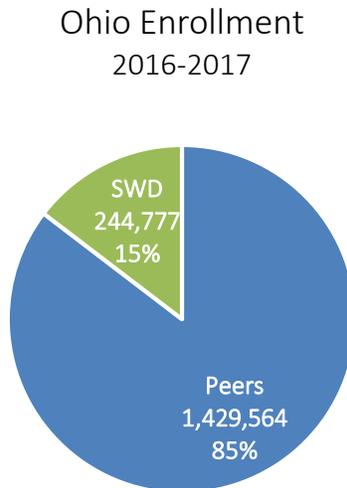
### Survey Respondents within District Typology



\*ESCs and JVSDs did not respond to last year's survey as there was confusion regarding how they report and to whom. The Department has since provided more clarity and direct assistance, in addition to more diligence in following up with non-responding districts.

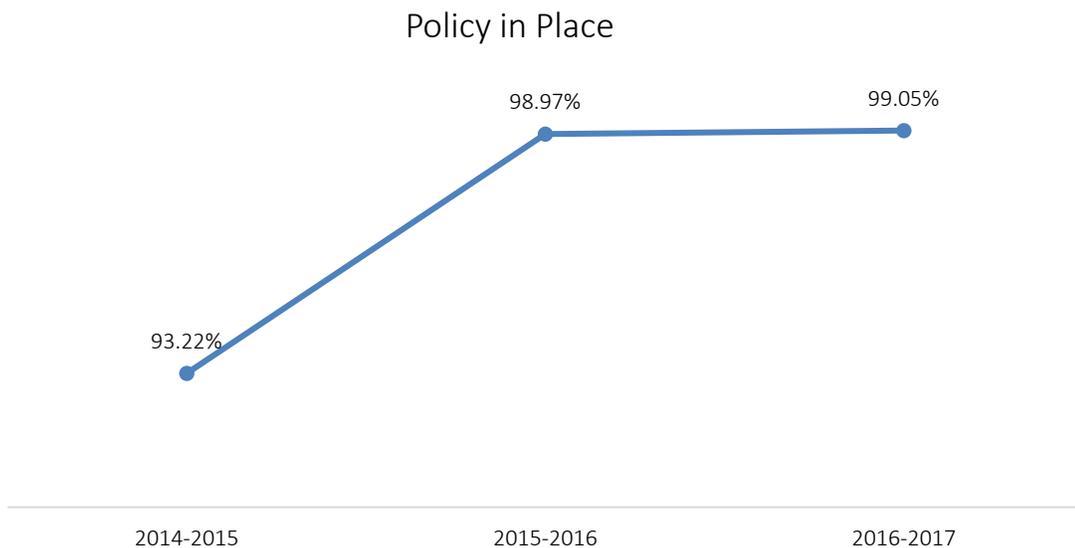
Ohio had 1,674,341 students in the 2016-2017 school year, of which 244,777 (14.6 percent) were students with disabilities. Figure 4 displays the student population. The enrollment of the responding districts is comparable, with 233,868 (15 percent) students with disabilities represented.

Figure 4. Ohio's enrollment by student population in the 2016-2017 school year.



In addition to the increase in district responses, this year, the Department has seen an increase in the percentage of districts whose school boards have adopted written policies and procedures regarding the use of restraint and seclusion (see Figure 5). Seven districts reported not yet having adopted policies and procedures.

Figure 5. Percentage of responding districts whose school boards have adopted written policies and procedures regarding the use of restraint and seclusion.



### Restraint Incidents

The definition of physical restraint<sup>4</sup> is the use of physical contact that immobilizes or reduces the ability of a student to move his or her arms, legs, body or head freely. The term does not include a physical escort, mechanical restraint or chemical restraint. The physical restraint does not include brief, but necessary contact for the following or similar purposes to:

- Break up a fight;
- Knock a weapon away from a student's possession;
- Calm or comfort;
- Assist a student in completing a task/response if the student does not resist the contact; or

<sup>4</sup> Ohio Department of Education (2013). *Policy on Positive Behavior Interventions and Support, and Restraint and Seclusion*.

- Prevent an impulsive behavior that threatens the student’s immediate safety (for example, running in front of a car).

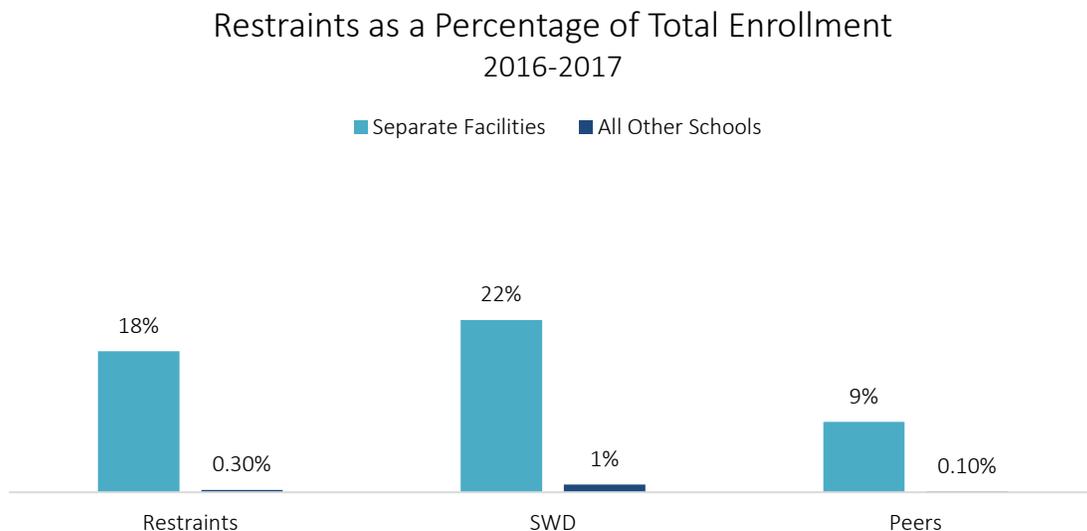
The use of physical restraint must be used as a last resort and only when there is an immediate risk of physical harm to the student or others and no other safe or effective intervention is possible.

The following guidance regarding restraint was provided to buildings to aid in reporting incidents:

A series of disruptive student actions involving agitation, behavior leading to restraint, seclusion, or a combination of restraint and seclusion should be considered one reported incident. For example, a student restrained two times during an incident because the student was not fully calm at the time of attempted release would be counted as one report. A one-hour period during which the student has returned to calm/typical functioning for the student, followed by the student becoming newly agitated and requiring restraint, seclusion, or a combination of restraint and seclusion would then generate a new (additional) reported incident.

Buildings self-reported 5,377 total restraints in the 2016-2017 school year, less than one percent of the total enrollment for responding districts. Of the students who were restrained, 2,036 (38 percent) were students with disabilities (1.4 percent of responding buildings’ population of students with disabilities). Figure 6 displays restraint incidents as a percentage of total enrollment in separate facilities compared to all other schools.

Figure 6. Restraint incidents as a percentage of total enrollment in separate facilities compared to all other schools.



Thirty-eight percent of students who were restrained had multiple incidents of restraint, compared to 48 percent in separate facilities. Overall, 2 percent of restraints led to student injury and 12 percent to staff injury (15 percent in separate facilities). It is noteworthy that 2 percent of restraints led to student injury in separate facilities as well, despite the higher rate of restraints in these buildings.

Following restraint incidents, 48 percent of students who were restrained had a Functional Behavioral Assessment conducted or reviewed; likewise, 52 percent of students who were restrained had a Behavior Intervention Plan developed or reviewed. Twenty-three percent of students who were restrained were suspended because of the behavior that led to the restraint (18 percent in separate facilities), while fewer than 1 percent of students who were restrained were expelled (0 students in separate facilities were expelled).

## Seclusion Incidents

Seclusion<sup>5</sup> is defined as the involuntary isolation of a student in a room, enclosure or space from which the student is prevented from leaving by physical restraint or by a closed door or other physical barrier.

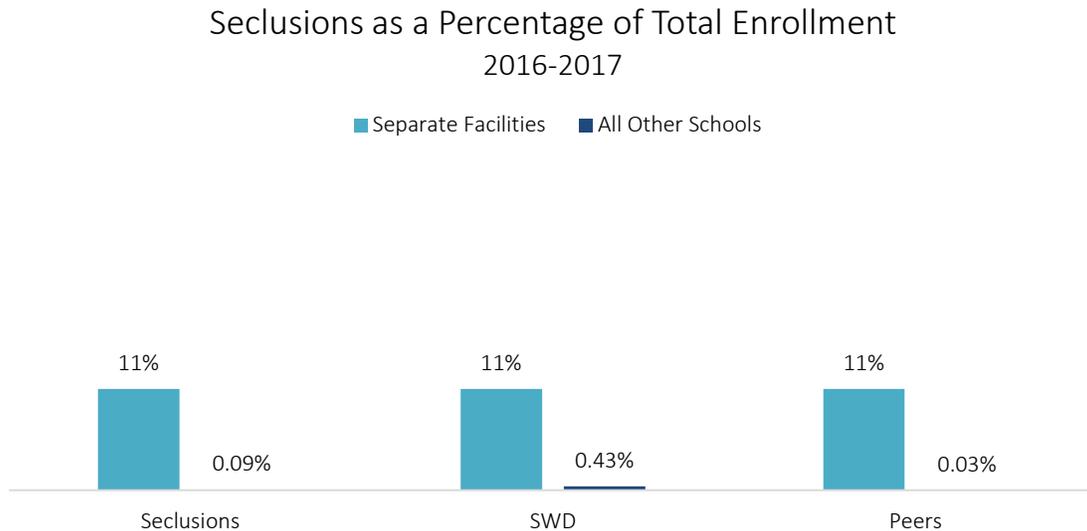
The following guidance regarding seclusion was provided to buildings to aid in reporting incidents:

Seclusion does not include incidents when the student voluntarily moves to a separate location to calm down or reduce sensory overload as part of a behavior plan or de-escalation plan.

Buildings self-reported 1,972 total seclusions in the 2016-2017 school year, less than 1 percent of the total enrollment for responding districts. Of the students who were secluded, 1,371 (70 percent) were students with disabilities (<1 percent of responding buildings' population of students with disabilities).

Forty-eight percent of students who were secluded had multiple incidents of seclusion, compared to 45 percent in separate facilities. Overall, 2 percent of seclusions led to student injury and 8 percent to staff injury ( $\leq 1$  percent of seclusion incidents resulted in staff or student injury in separate facilities). Figure 7 displays seclusion incidents as a percentage of total enrollment in separate facilities compared to all other schools. Separate facilities use seclusion at a much higher rate than traditional schools.

Figure 7. Restraint incidents as a percentage of total enrollment in behavioral schools compared to all other schools.



Following seclusion incidents, 49 percent of students who were secluded had a Functional Behavioral Assessment conducted or reviewed; likewise, 54 percent of students who were secluded had a Behavior Intervention Plan developed or reviewed. Nineteen percent of students who were secluded were suspended because of the behavior that led to the seclusion (7 percent in separate facilities), while fewer than 1 percent of students who were secluded were expelled (0 students in separate facilities were expelled).

## Upcoming Changes to Restraint and Seclusion Incident Reporting

The Department continues its efforts to improve data quality. In doing so, many changes are planned for the next reporting year and those that follow. Some of these changes include:

- Starting next year, the previous year's data will be pre-populated for districts, allowing individual buildings to reflect on the previous school year in terms of PBIS implementation, crisis and de-escalation training, and incidents of restraint and seclusion. The population of the previous school year's data will aid buildings in a more thorough self-assessment.

<sup>5</sup> Ohio Department of Education (2013). *Policy on Positive Behavior Interventions and Support and Restraint and Seclusion*.

- Buildings will be randomly assigned to a self-review every three years, consisting of guiding questions that assist the building in identifying root causes and prioritizing areas of concern to ensure appropriate use of restraint and seclusion in the district.
- The Department will develop a pre-recorded webinar to guide districts through the purpose and process of restraint and seclusion incident reporting and to address frequently asked questions.

The goal of the Department is to increase data reporting and accuracy, as well as the understanding and implementation of policies and procedures, while providing technical assistance and support and reducing the need for restraint and seclusion statewide.

## SCHOOL CLIMATE AND STUDENT SUPPORTS

The goal of the state policy is to promote the use of non-aversive, effective behavioral systems to create learning environments that promote the use of evidence-based interventions, thereby enhancing academic and social behavioral outcomes for students. The Department is supporting the implementation of Positive Behavioral Interventions and Supports (PBIS) as the framework for improvement of school climate and for reducing the use of aversive behavioral interventions that compromise student health and safety.

### Positive Behavioral Intervention and Supports

Ohio's rules and policy endorse [Positive Behavioral Interventions and Supports \(PBIS\)](#) as a framework for Ohio schools to reduce incidents of restraint and seclusion. PBIS is a behavioral multi-tier system of supports that utilizes instructional practices to teach students what behaviors are expected in the various school settings throughout the school day. A well-implemented PBIS framework provides instructional supports to all students, provides additional small-group interventions for some students and, when needed, provides behavioral planning for individual students. PBIS involves all school staff and requires consistency among adults as to what is expected of students and well-organized practices to recognize students' positive behaviors. When properly implemented, PBIS has been shown to reduce discipline problems and improve overall school climate.

The national Technical Assistance Center on Positive Behavioral Interventions and Supports identifies five sequential phases building leadership teams go through to plan and implement PBIS with fidelity.<sup>6</sup> The phases are defined below:

- 1) Exploration and Adoption – Researching PBIS, exploring readiness and securing staff and administration agreement to implement the PBIS.
- 2) Installation – Creating the PBIS team, completing PBIS team training, and establishing initial systems, data decisions, policies and practices that will be required to implement PBIS.
- 3) Initial Implementation – Rolling out and implementing PBIS schoolwide with a focus on Tier I supports.
- 4) Full Implementation – Implementing PBIS with all systemic components and a range of interventions (Tier I, II, and III supports).
- 5) Innovation and Sustainability – Routinely checking fidelity and outcomes of implementation using national assessments and revising and updating practices and systems as needed.

Districts self-reported which phase of PBIS they are currently implementing. Figure 8 shows the percentage of responding districts in each phase of PBIS implementation and Figure 9 shows the percentage of behavioral schools as reported in each phase.

---

<sup>6</sup> Lewis, T.J., Barrett, S., Sugai, G., & Horner, R. H., Mitchell, B.S., & Starkey, D. (2016). Training and professional development blueprint for positive behavioral interventions and supports. Eugene, OR: National Technical Assistance Center on Positive Behavior Interventions and Support. Retrieved from [www.pbis.org](http://www.pbis.org). For assistance with implementing PBIS in your district/building, please contact the State Support Team located in your district's region.

Figure 8. Percentage of responding districts in each phase of PBIS implementation.

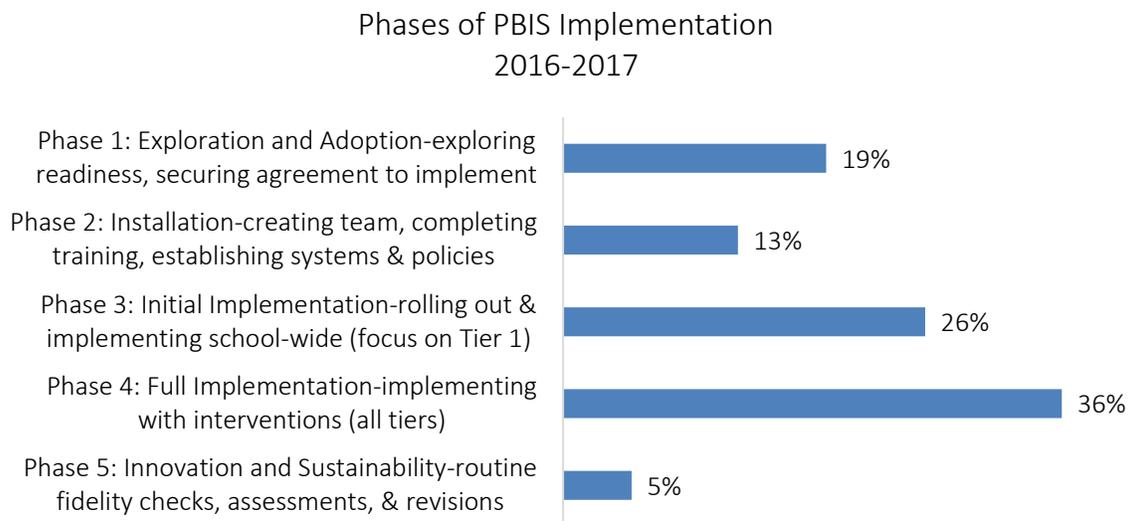
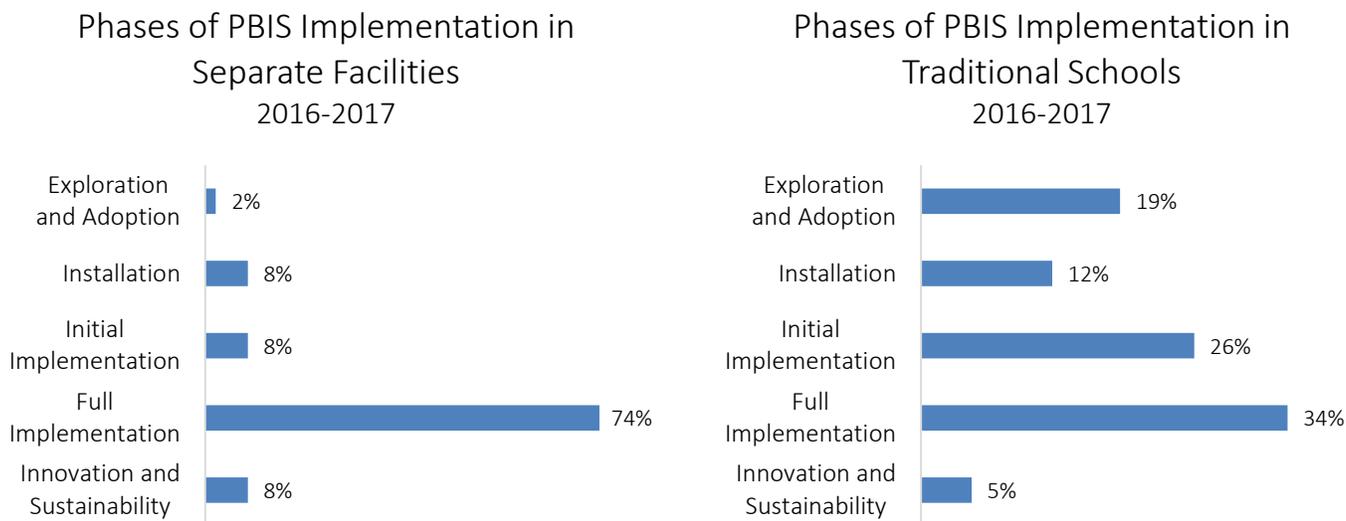


Figure 9. Percentage of behavioral schools and non-behavioral schools (self-reported) in each phase of PBIS implementation.



Training of PBIS has primarily been provided by the 16 state support teams (SST). PBIS training is a multi-session, team-based process with follow-up coaching support. To properly implement PBIS data, systems and practices requires a multi-year commitment from a participating school. Schools that implement PBIS with a high degree of consistency and fidelity are eligible to be recognized as a PBIS award school (gold, silver or bronze levels).

An annual, two-day [Ohio PBIS Showcase](#) provides an opportunity for attendees to acquire firsthand knowledge on PBIS implementation from high-quality Ohio PBIS schools. The showcase features award-winning and high-quality PBIS programs sharing their knowledge and experiences in implementing and scaling up their PBIS efforts, including training on PBIS coaching strategies and poster presentations from quality PBIS schools sharing real-life experiences and resources.

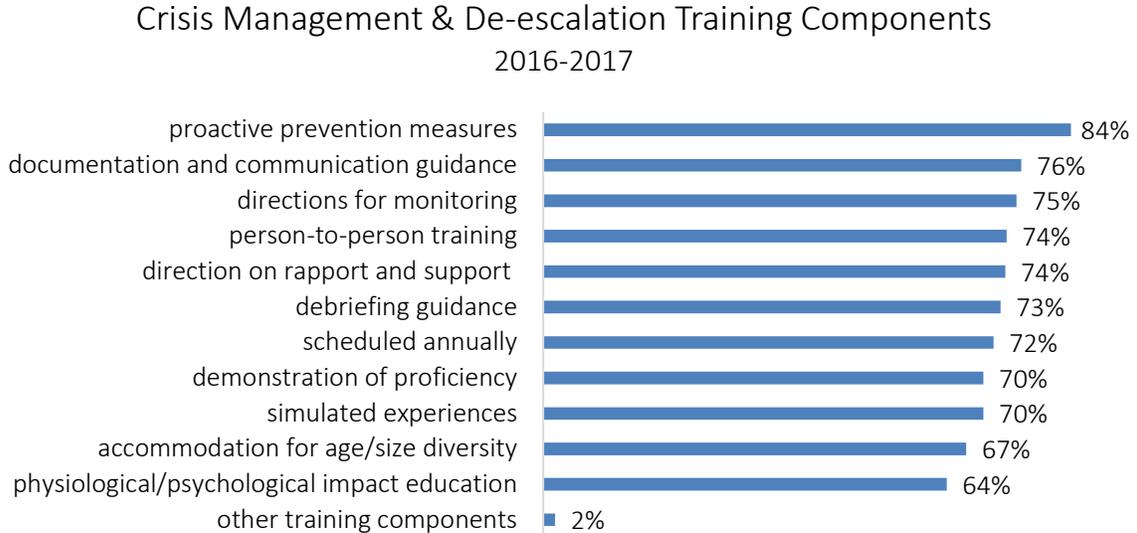
## Crisis Management and De-escalation

The Department’s policy on Positive Behavior Interventions and Supports and Restraint and Seclusion also requires building staff to be trained in crisis management and de-escalation techniques. Buildings were asked which of the following training components are currently included in their training, as well as to indicate whether additional training components, not included in the list below, are part of their staff’s training.

- Proactive measures for preventing the use of physical restraint
- Directions for monitoring signs of distress during and following physical control
- Person-to-person training
- Scheduled annually
- Requires participants to demonstrate proficiency
- Allows for a simulated experience of administering and receiving physical restraint
- Instruction and accommodation for age and body size diversity
- Education on the physiological and psychological impact of physical restraint on the student and family
- Direction for age-appropriate processing, re-establishing rapport and appropriately supporting the student to re-engage in learning
- Guidance for staff on debriefing the event (e.g., escalation of the event, planning for future areas of improvement to foster restraint reduction and student engagement)
- Guidance for staff on properly documenting and communicating about the restraint with appropriate parties (e.g., parents, guardians, social workers)

Figure 10 displays the percentage of responding districts that include each component in their training. On average, 11 student personnel are trained each of the responding buildings (range = 0 – 283). In separate facilities, the average is 52 trained student personnel per organization.

Figure 10. Percentage of responding districts that include each crisis management and de-escalation component in their training.



In addition to PBIS, Ohio promotes the following student supports for creating safe and supportive school conditions:

- **Social-Emotional Learning Standards**  
Ohio is committed to maximizing student success by preparing young children in all areas of school readiness, including social and emotional development. In 2012, the State Board of Education adopted [Ohio’s Early Learning and Development Standards](#) in all domains of school readiness to reflect the comprehensive development of children from birth to kindergarten entry. These standards include social and emotional development. In 2014, Ohio expanded these standards up to grade 3. In 2015,

Ohio updated its [Ohio Core Knowledge and Competencies](#) for early childhood professionals and administrators to include Social and Emotional Development competencies. The guide describes competencies across entry-level, experienced and advanced early childhood professionals for the following areas: child growth and development, family and community relationships, health, safety and nutrition, professionalism, child observation and assessment, and learning environments and experiences. Ohio is currently working with the Collaborative for Academic, Social, and Emotional Learning (CASEL) to update the K-grade 3 standards and create social-emotional learning standards for grades 4 through high school.

- **Mental and Behavioral Health Supports**

The Department partnered with the Ohio Department of Mental Health and Addiction Services on two grant initiatives that specifically focus on the use of collaborative efforts to create safe and secure schools and promote behavioral and mental wellness among students. These grants are guided through an interagency and cross-agency state management team known as the Healthy Schools and Communities Resource Team.

- 1) [Safe Schools-Healthy Students federal grant](#): This program is funded by the Substance Abuse and Mental Health Services Administration and a partnership between the Ohio Department of Education and Ohio Mental Health and Addiction Services. The goal of Ohio's Safe Schools – Healthy Students project is to improve access and availability of wellness promotion practices, evidence-based prevention and mental health services with school-based and community-wide strategies that prevent violence and promote the healthy development of children and youth. Ohio's plan coordinates prevention policies and programs within the three levels of prevention and treatment services that are developmentally appropriate across school and behavioral health settings for each of the program elements.
- 2) [Project AWARE federal grant](#): Funded by the Substance Abuse and Mental Health Services Administration, Project AWARE supports schools and communities in raising awareness of the mental health needs of school-age youth, training adults to detect and respond to mental health challenges and increasing access to mental health supports for children, youth and families. Through this grant, statewide resources and trainings are available to school staff and community partners

- **Trauma Informed Schools**

A [trauma-informed school](#) is one in which all students and staff feel safe, welcomed and supported and where the impact of trauma on teaching and learning is addressed at the center of the educational mission. Trauma-informed schools create school policies, practices and cultures that are sensitive to the needs of traumatized individuals and ensure that all individuals (students, families and staff) meet their maximum potential. Trauma-informed approaches strengthen staff and student connections, promote parent and community partnerships and improve school climate. The Department recognizes that trauma impacts the lives of students and has developed a [trauma-informed schools webpage](#) with information and resources to support schools in planning and implementing trauma-informed approaches.

## CONCLUSION

The Department continues to plan for improvement in data reporting in terms of accuracy and completeness and is preparing for the next year's reporting cycle. The Department also aims to increase understanding and implementation of policies and procedures while providing technical assistance and support and reducing the need for restraint and seclusion statewide. For more information on the Department's policies, please visit the [PBIS and restraint and seclusion policy webpage](#). Please direct any questions to [PBIS Restraint Seclusion Questions@education.ohio.gov](mailto:PBIS_Restraint_Seclusion_Questions@education.ohio.gov).