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TO: Dr. Kristine Gilmore, Superintendent & D.C. Everest School Board
FROM: Jennifer Zynda, Ed.D., Director
Pupil Services/Special Education
RE: Seclusion & Physical Restraint Reporting Data
DATE: August 19, 2014

This memo serves as the reporting requirement of Wisconsin Act 125: Use of Seclusion and Physical Restraint in Schools. Wisconsin Act 125 Requirement states that each year by September 1st, a designee must submit to the school board a report:

- On the number of incidents of seclusion and physical restraint in the previous year,
- The total number of students involved in the incidents, and
- The total number of students with disabilities involved in the incidents.

Please see the D.C. Everest School District's data for 2013-2014 listed below.

Number of incidents of seclusion and physical restraint:	138
Total number of students involved in the incidents:	20
Total number of students with disabilities involved in the incidents:	18

Further information regarding the definitions of seclusion and physical restraint in schools is attached.

Addressing The Use of Seclusion and Physical Restraint in Schools 2011 Wisconsin Act 125 Requirements

- Applies to both special education and regular education students.
- Applies to school staff, including independent contractors and their employees, and student teachers. Does not apply to law enforcement officers working in the school.

Seclusion

Defines “**seclusion**” as the involuntary confinement of a student, apart from other students, in a room or area from which the student is physically prevented from leaving.

Prohibits use of seclusion in public schools, including charter schools, except when:

- A student’s behavior presents a clear, present and imminent risk to the physical safety of the student or to others, and it is the least restrictive intervention feasible;
- Constant supervision of the student is maintained;
- The student has adequate access to the bathroom, drinking water, required medications, and regularly scheduled meals; and
- Seclusion is used no longer than necessary to resolve the risk to the physical safety of the student or others.

A room may not be used for seclusion unless:

- The room or area is free of objects or fixtures that may cause injury,
- There are no locks on the door, including hold down type mechanisms that immediately release when pressure is removed, and
- Meets all applicable school building code requirements.

What is not considered seclusion?

Directing a disruptive student to temporarily separate himself or herself from the activity in the classroom to regain control is not considered seclusion unless the student is confined to an area from which she or he is prevented from leaving.

Directing a student to temporarily remain in the classroom to complete tasks while other students participate in activities outside of the classroom is not considered seclusion unless the student is confined to an area from which she or he is prevented from leaving.

Physical Restraint

Defines “**physical restraint**” as a restriction that immobilizes or reduces the ability of a student to freely move his or her torso, arms, legs, or head.

Prohibits the use of physical restraint in public schools, including charter schools, except when:

- A student’s behavior presents a clear, present and imminent risk to the physical safety of the student or to others, and it is the least restrictive intervention feasible;
- There are no medical contraindications to its use;
- The degree of force and duration used do not exceed what is necessary and reasonable to resolve the risk to the physical safety of the student or others; and
- No prohibited maneuver is used.

Prohibits maneuvers or techniques that:

- Do not give adequate attention and care to protecting the pupil's head;
- Cause chest compression by placing pressure or weight on the student's chest, lungs, sternum, diaphragm, back or abdomen,
- Place pressure or weight on the student's neck or throat, on an artery, or on the back of the student's head or neck, or that otherwise obstruct the student's circulation or breathing; and
- Constitute corporal punishment

The Act prohibits mechanical or chemical restraints. Supportive equipment that properly aligns a student's body, assists in maintaining balance, or assisting in mobility under the oversight of appropriate medical staff is not mechanical restraint.

What is not considered physical restraint?

Briefly touching a student's hand, arm, shoulder or back to calm, comfort, or redirect the pupil is not considered physical restraint.