

Purpose of Restraint and Seclusion Data Collection



- Beginning 2019-20, this collection provides the CDE information regarding the use of restraint and seclusion for students receiving either **general education or special education** to fulfill the statutory requirements of ***Education Code § 49005.1***

Restraint and Seclusion Data Now Used for Monitoring Determinations

As a result of a settlement, the court has mandated that the Special Education Division use certified Restraint and Seclusion data as an additional data point in its annual monitoring determinations:

1. LEAs reporting more than 2 restraints or seclusions per pupil (>2:1 ratio) will be asked to perform student record reviews
2. LEAs that:
 - a. Report zero incidents of restraint or seclusion and have greater than 100 students with disabilities; or
 - b. Report zero incidents of restraint or seclusion and have greater than 100 students with disabilities enrolled at Nonpublic Nonsectarian Certified Schools (NPS); or
 - c. Fail to certify the CALPADS EOY 3 submissionwill be flagged for questionable data quality and will have to complete monitoring activities associated with data quality

Definition of Mechanical Restraint

- Definition provided in Education Code § 49005.1:
 - (d) (1) “Mechanical restraint” means the use of a device or equipment to restrict a pupil’s freedom of movement.
 - (2) (A) “Mechanical restraint” does not include the use of devices by peace officers or security personnel for detention or for public safety purposes.
 - (B) “Mechanical restraint” does not include the use of devices by trained school personnel, or by a pupil, prescribed by an appropriate medical or related services professional, if the device is used for the specific and approved purpose for which the device or equipment was prescribed, which shall include, but not be limited to, all of the following:
 - (i) Adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports.
 - (ii) Vehicle safety restraints when used as intended during the transport of a pupil in a moving vehicle.
 - (iii) Restraints for medical immobilization.
 - (iv) Orthopedically prescribed devices that permit a pupil to participate in activities without risk of harm.

Definition of Physical Restraint

- Definition provided in Education Code § 49005.1:
 - (f) (1) “Physical restraint” means a personal restriction that immobilizes or reduces the ability of a pupil to move the pupil’s torso, arms, legs, or head freely. “Physical restraint” does not include a physical escort, which means a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a pupil who is acting out to walk to a safe location.
 - (2) “Physical restraint” does not include the use of force by peace officers or security personnel for detention or for public safety purposes.

Definition of Seclusion

- Definition provided in Education Code § 49005.1:
 - (i) “Seclusion” means the involuntary confinement of a pupil alone in a room or area from which the pupil is physically prevented from leaving. “Seclusion” does not include a timeout, which is a behavior management technique that is part of an approved program, that involves the monitored separation of the pupil in a nonlocked setting, and is implemented for the purpose of calming.