

FABA Statement on the Use of Restraint and Seclusion in Florida Schools

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The Florida Association for Behavior Analysis (FABA) recognizes that every student in Florida schools, with and without disabilities, has a right to effective behavioral intervention. As stated in the **FABA Statement on the Right to Effective Behavioral Intervention in Florida Schools**:

- Students should have freedom from undue physical or social restriction.
- Each student is entitled to the most effective, scientifically validated intervention.

Therefore, FABA, through majority vote of its Executive Committee, issues the following position statement as a set of guiding principles to protect students from harm as a result of either the lack of behavioral intervention or the inappropriate use of behavioral or other interventions, including restraint, seclusion, or other crisis management procedures.

FABA declares that all students, with and without disabilities, who receive behavioral intervention in Florida schools have a right to:

1. *Participate in educational, social, and extra-curricular programs in non-segregated settings.* IDEA 2004 mandates that all students with severe behavior challenges are entitled to free and appropriate education and intervention. These students should receive services outside of self-contained classrooms or other segregated settings so they can receive the best instruction possible with the greatest likelihood of successful educational outcomes.
2. *Instruction in safe classrooms and other school settings.* In some cases, students unexpectedly engage in new, dangerous behaviors when there has been no opportunity for behavioral assessment or intervention. In other cases, students with a history of dangerous behaviors have individualized behavioral intervention plans, but the procedures were not sufficient to stop those behaviors, due to environmental factors, medical variables, or in the midst of a crisis situation.

In the above dangerous conditions, educators must be able to protect these students from hurting themselves, other students and educators. Educators should be trained in effective and humane physical containment (i.e., restraint) procedures that allow for the child to be securely held in the safest, non-standing position. Firm, but gentle, holding can prevent falls and other dangers that may occur when a student struggles. In some situations, physical containment in a specially-designed room may also be necessary to prevent injuries.

Every school and educational support agency with direct student contact should have approved procedures for behavioral emergencies. These emergency procedures should be systematic and include a training curriculum that addresses de-escalation procedures as well as procedures that may include physical management. Recommended procedures have been outlined by the Agency for Persons with Disabilities in Florida Administrative Code [65G-8.006](#) and in Definitions provided in [65G-8.001](#).

3. *Parent notification when emergency procedures are used.* For each application of approved or unapproved emergency procedures, parents should be notified in a timely manner by phone and/or in writing.

4. *Prompt referral for, and initiation of, a Functional Behavior Assessment (FBA).*

When any event of high magnitude (i.e., extreme force and risk) behavior occurs, or when two applications of approved or unapproved emergency procedures occur in one month, or three in six months, the student should be referred to a competent behavioral expert for a FBA that identifies the probable functions of the behavior, and provides recommendations for treatment. This FBA will be shared with the entire school treatment team, including the parents, to determine the safest and most effective course of action.

Board Certified Behavior Analysts (BCBA) and Board Certified Assistant Behavior Analysts (BCaBA) are the gold standard experts in Applied Behavior Analysis (ABA), an evidence-based, peer-reviewed body of knowledge. BCBA's are professionals in conducting FBAs and developing interventions that are reliably and successfully used in many educational environments to prevent and solve many types of dangerous behavior challenges.

5. *Behavioral interventions that are designed, implemented, and/or overseen by competent behavioral experts to prevent dangerous behaviors.*

The FBA should be used to create a behavioral intervention plan (BIP) that will modify the environment to prevent problem behaviors, teach and maintain replacement behaviors, and reduce or eliminate the challenging behaviors that require the use of restraint procedures. This plan should maximize educational time and efficiently allow the instructional personnel to teach all students in the least restrictive environment.

6. *Behavioral intervention plans that include the most effective procedures.*

In some cases of extremely dangerous behavior, the competent behavioral expert may determine that a specific form of restraint, exclusionary time-out, or isolation time-out may be a highly effective procedure and should be included in the behavior intervention plan as a decelerative procedure. Scientific research has proven that such procedures can successfully interrupt and de-escalate precursor behaviors (e.g., banging book on desk) that previously have been followed by severe, dangerous behaviors (e.g., biting, pulling hair, punching) that increase the risk of injury. Criteria for use of such procedures includes:

- use by appropriately trained educational professionals
- as part of a planned, approved and comprehensive behavior support plan that is designed and monitored by competent behavioral professionals (e.g., BCBA)
- with all essential safeguards, and
- in accordance with recognized professional standards.

Students and families have the right to effective interventions that produce meaningful positive outcomes, instead of experiencing prolonged contact with ineffective procedures that sustain risks, limit access to educational programs, or result in habituation and ultimately more restrictive procedures. Decisions to humanely employ and then fade the use of such procedures should be made on an individual case basis.

In order to assure the provision of these rights to students in Florida schools, FABA recommends that educational funds be allocated for:

1. Training school personnel in approved emergency procedures that increase the safety of all students and school personnel.
2. Frequent monitoring and retraining of school personnel in the use of approved emergency procedures in order to maintain peak proficiency
3. Data management systems and personnel at the school and district levels in order to identify trends in emergency procedure use, implement corrective actions, and ultimately reduce or maintain low levels of emergency procedure use.
4. Training, hiring, and/or contracting with competent behavioral experts (e.g., BCBA) who can consult with school teams to meet the special needs of students with dangerous behaviors.

It is expected that the allocation of funds for the above purposes will prevent and reduce unwanted outcomes and expenses related to:

- changes of placement to more restrictive school settings, institutions, and residential programs
- law enforcement involvement, use of force, student counter-aggression, felony arrests of students, Baker Acts, and psychiatric hospitalizations
- increased prescriptions for psychoactive medications, many of which interfere with learning processes
- injuries to students, related medical evaluations and treatment
- injuries to educators, related medical evaluations and treatment, Worker's Compensation, lost work days and wages, substitute staffing costs, attrition, recruitment and training of new staff
- legal challenges for noncompliance with IDEIA 2004, compensatory education, injuries, etc.