

# Special Education Subjects Reference-- Seclusion and Physical Restraint

2011 Wis. Act 125 addressing the use of seclusion and physical restraint in public schools takes effect on September 1, 2012. The Act applies to both regular and special education students and prohibits the use seclusion or physical restraint except when certain conditions apply.

Seclusion and/or physical restraint may be used only when a student's behavior presents a clear, present and imminent risk to the physical safety of the student or others, and it is the least restrictive intervention feasible. Certain maneuvers and techniques are prohibited, and mechanical or chemical restraints may not be used. Seclusion rooms may not have locks, and rooms must be free of any objects or fixtures that may injure the student. If it is reasonably anticipated that restraint or seclusion may be used with a student with disability, it must be included in the student's Individualized Education Program (IEP) and the IEP must also include positive interventions, supports and other strategies based on a functional behavioral assessment.

Other requirements include parental notification and documentation and training on safe use of physical restraint, including ways to deescalate behavior.

- [DPI Articulate Module: Using Data to Decrease Physical Restraint and Seclusion](https://media.dpi.wi.gov/sped/seclusion-restraint/story.html) (<https://media.dpi.wi.gov/sped/seclusion-restraint/story.html>)  
In the school setting more and more decisions are made based on data. With Act 125, schools are asked to report and maintain data on seclusion and physical restraint. Through an analysis of the data collected, educators can identify patterns of using seclusion and restraint, review practices used in seclusion and restraint and evaluated the impact of interventions in preventing seclusions or restraints. Using the data collected will provide a framework to reduce the use of physical restraint and seclusion.
- [Addressing The Use of Seclusion and Physical Restraint in Schools: 2011 Wisconsin Act 125 Requirements](#)  (4/2012)
- [2011 Act 125 Seclusion and Restraint Frequently Asked Questions](https://dpi.wi.gov/sped/topics/seclusion-restraint/faq) (<https://dpi.wi.gov/sped/topics/seclusion-restraint/faq>)

- [2011 Wisconsin Act 125](#) : A PowerPoint presentation providing information to districts, parents, and other stakeholders on the Act's requirements. 2011 Wisconsin Act 125 addresses the use of seclusion and physical restraint in public schools, including charter schools, and which applies to both regular and special education students. (9/2012)
- Examples of recording forms: DPI does not review or approve recording forms used by school districts. The following are links to example forms developed by school districts.
  - [Form developed by Nissan Bar-Lev and the WCASS Special Projects Committee](#) 
  - [Form developed by the Hamilton School District](#) 
  - [Form developed by the Middleton-Cross Plains School District](#) 

In May 2012, the Office of Special Education Programs (OSEP) of the U.S. Department of Education released [Restraint and Seclusion: Resource Document](#) . The document identifies 15 principles for States, local school districts, preschool, elementary, and secondary schools, parents, and other stakeholders to consider when developing and implementing policies and procedures related to physical restraint and seclusion.

The Wisconsin Department of Health Services (DHS) and the Wisconsin Department of Children and Families (DCF) issued a joint memo on March 13, 2009 entitled Prohibited Practices in the Application of Emergency Safety Interventions with Children and Adolescents in Community Based Programs and Facilities. Prohibited practices include prone restraints as well as other techniques.

The Wisconsin Department of Public Instruction (DPI) supports the information contained in these Department of Health Services memos:

- [Prohibitive Practices in the Application of Emergency Safety Interventions with Children and Adolescents in Community-Based Programs and Facilities](#)  (Division of Quality Assurance)
- [Frequently Asked Questions Regarding Guidelines and Requirements for the Use of Restrictive Measures](#)  (Division of Long Term Care)

Please review these memos if you have not already done so and be sure staff is familiar with its contents.

**The resources below predate the passage of 2011 Wis. Act 125, and do not reflect the Act's**

**requirements. However, they contain useful information and guidance for schools.**

- [Directives for the Use of Seclusion and Physical Restraint in Special Education Programs](#) 

The two documents linked immediately below are intended as general guidance for IEP teams when it is necessary (per the department's Directives on the Appropriate Use of Seclusion and Physical Restraint in Special Education Programs) to include the use of seclusion and/or physical restraint in a student's IEP. There are many variables to be considered in each situation and this information provides a format for discussion.

- [Including Physical Restraint in IEPs....](#) 

- [Including Seclusion in IEPs....](#) 

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