

STATE CAPITOL PO Box 8952, Madison, WI 53708
PHONE (608) 266-7746 **TOLL-FREE** (888) 534-0081
EMAIL Rep.Considine@legis.wisconsin.gov
WEB <http://legis.wisconsin.gov/assembly/81/considine>

To: Assembly Committee on Education
From: Representative Dave Considine
Re: Testimony on Assembly Bill 585
Date: December 19, 2019

Chairperson Thiesfeldt, Vice-Chair Kitchens, and fellow committee members, thank you for holding a public hearing today on Assembly Bill 585. I appreciate the opportunity to testify in support of this legislation, and I'm grateful for your willingness to listen.

AB 585 is the product of a diverse set of stakeholder organizations coming together to solve a common goal: to clarify and improve the statutes on seclusion and physical restraint of pupils. As a former educator of students labeled Emotionally and Behaviorally Disordered, I understand that sometimes there is a need for such measures in the classroom. However, I also know that the better the training and the more comfortable the teacher becomes with the standards, the less seclusion or physical restraint is needed.

This bill changes the components of the current training and requires reporting data for when seclusion and physical restraint are used on a pupil. I value accurate data on how often these practices are employed. This data is difficult for schools to report, but with real statistics on why and how often the seclusion and restraint is used we can make sure we're keeping all children safe.

Following the testimony today I ask you to please consider scheduling AB 585 for an executive session. Thank you again for scheduling this public hearing and for your time and attention. Please let me know if you have any questions or concerns.

Dave Considine



Romaine Quinn

STATE REPRESENTATIVE • 75th ASSEMBLY DISTRICT

Chair Thiesfeldt and members of the Committee:

Thank you for allowing me to testify on Assembly Bill 585, which updates and clarifies the process of using seclusion and restraint in schools.

Schools can use seclusion and restraint when teachers feel they are unable to control a child who is acting out and the child's behavior poses an immediate risk to physical safety and is the least restrictive option possible. Methods can include putting a child in a separate room or physically restricting use of arms, legs, torso, or head. A practice which can leave students, particularly students with disabilities, frightened, confused, and hesitant to return to school.

This legislation came about after a report from Wisconsin Family Ties, Disability Rights Wisconsin and WI FACETS; data showed high utilization of seclusion and restraint in schools since the enactment of ACT 125 in 2012. Data from that report showed that of the over 20,000 times that seclusion and restraint were used in 2013/14, almost 80% of the students involved were students with disabilities. The report included recommendations for how to reduce the misuse of seclusion and restraint, which led to this bill.

Assembly Bill 585 changes the training requirements for an individual employed by a public or SNSP school to use physical restraint. The new training must include 1) evidence-based instruction related to positive behavior supports and interventions; 2) evidence-based techniques shown to prevent or reduce the use of physical restraint; and 3) a demonstration of the ability to identify prohibited techniques in administering physical restraint.

Another main component of the bill is updating the reporting process for when seclusion or restraint is used in school. The legislation specifies that a notice and report must be given when covered individuals or law enforcement officers use seclusion or restraint at the school. After such, the school principal is required to meet with the covered individuals who participated in the incident to discuss the events and how to prevent the use of seclusion or restraint in the future. The governing body of the school must report these incidents to the Department of Public Instruction annually. This bill adds that the report data must separate seclusion from restraint incidents and identify the total number of children with disabilities who were involved.

The bill also updates language in statute that if a person is being secluded the door cannot have a lock on it and also adds maneuvers and techniques that place the pupil in a prone position to the list of prohibited maneuvers. Additionally, the bill specifies that use of vehicle safety restraints while transporting a pupil in a moving vehicle is not the use of a mechanical restraint.

This legislation was introduced last session, but ran out of time in the calendar year to receive a hearing. We brought the bill back this year with support from many organizations. Stakeholders from many groups were consulted in the development of the bill. Which is why it is supported by: Disability Rights Wisconsin, National Alliance on Mental Illness Wisconsin, WI FACETS, Wisconsin Family Ties, Alianza Latina Aplicando Soluciones (ALAS), Autism Society of South Central Wisconsin, Autism Society of Southeast Wisconsin, Autism Society of Wisconsin, Crisis Prevention Institute, Mental Health America of Wisconsin, NAMI Wisconsin, Survival Coalition of Wisconsin Disability Organizations, The Arc Wisconsin, Wisconsin Board for People with Developmental Disabilities, and Wisconsin Coalition of Independent Living Centers.

Thank you for holding a hearing on AB 585 and I ask for your support of the bill.



Luther S. Olsen

State Senator

14th District

TO: Assembly Committee on Education
FROM: Senator Luther Olsen
DATE: Thursday, December 19, 2019
SUBJECT: Testimony for Assembly Bill 585

Thank you Chairman Thiesfeldt and members of the Assembly Committee on Education for holding a hearing and allowing me to testify in support of Assembly Bill 585 (AB 585).

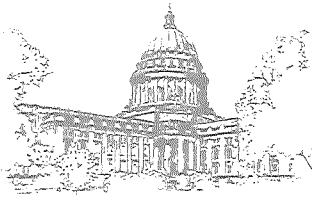
In 2011, I introduced Senate Bill 353 which addressed the use of seclusion and physical restraint on pupils in public schools. Senate Bill 353 passed and was signed into law as 2011 Wisconsin Act 125, making us one of 38 states that regulate school usage of emergency safety measures that are known as seclusion and restraint.

Act 125 has helped to reduce the inappropriate use of seclusion and restraint, prohibited some dangerous forms of restraint altogether, restricted the usage of both types, limits its use to only being utilized during situations of immediate risk to physical safety, and established reporting and training requirements. However, there are still a few areas that need improvement.

Assembly Bill 585 clarifies the reporting process for the data that is required to be submitted. It explains what the definition of a reportable incident is and what the specific data that districts must report is. It also adds that a report must be submitted to the Department of Public Instruction in addition to the local school boards. It requires that schools convey written information about these incidents to parents, rather than just requiring them to notify parents of the written report's availability as is current law. It will also provide debriefing for staff members that are involved in incidents of seclusion and restraint and updates the training requirements on de-escalation and prevention.

We began working on this legislation last session along with a diverse set of stakeholder organizations. It is supported by: Disability Rights Wisconsin, WI FACETS, Wisconsin Family Ties, Alianza Latina Aplicando Soluciones (ALAS), Autism Society of South Central Wisconsin, Autism Society of Southeast Wisconsin, Autism Society of Wisconsin, Crisis Prevention Institute, Mental Health America of Wisconsin, NAMI Wisconsin, Survival Coalition of Wisconsin Disability Organizations, The Arc Wisconsin, Wisconsin Board for People with Developmental Disabilities, and Wisconsin Coalition of Independent Living Centers.

Again, thank you for holding a hearing today. I ask for your support on AB 585 and I am available to answer any questions that you may have.



STATE SENATOR LaTonya Johnson

WISCONSIN STATE SENATE

6TH DISTRICT

**Assembly Committee on Education
Testimony on Assembly Bill 585
December 19, 2019**

Good morning members of the committee,

Thank you for holding this hearing on Assembly Bill 585 (AB 585), which will reform the way schools currently use emergency safety measures known as physical restraint and seclusion.

With the passage of 2011 Act 125 (Act 125), Wisconsin joined 37 other states in regulating the use of physical restraint and seclusion of students. Act 125 made significant progress in reducing over-reliance on seclusion and restraint as well as prohibited certain dangerous forms of restraint. Act 125 also included important reporting requirements which subsequently revealed that restraint and seclusion was used over 20,000 times in 2013-14, with nearly 80% of the incidents involving students with disabilities.

AB 585 is based on the recommendations of stakeholder groups representing students and their families, school officials, and disability rights advocates from across the state. The bill seeks to complement Act 125 by making further improvements in the way that our schools utilize emergency safety measures to protect both students and staff.

AB 585 enhances reporting of restraint and seclusion by requiring data to be reported annually to the Department of Public Instruction. The bill clarifies the definition of a reportable incident, including incidents involving law enforcement officers, as well as the specific information that districts must report. AB 585 also requires schools to communicate written information about incidents to parents rather than simply make the report available upon request. The bill updates training requirements to emphasize de-escalation and prevention, and requires administrators to meet with staff involved in incidents of physical restraint and seclusion to discuss the incident as well as to strategize about ways to prevent future uses of these emergency safety measures. Lastly, the bill applies all seclusion and restraint regulations to district students who are placed in private or non-district educational settings.

It is critical that all students feel safe coming to school to receive the quality education that they are entitled to under the Wisconsin State Constitution. AB 585 expands on the progress that began with Act 125 by making regulatory improvements to the way our schools use physical restraint and seclusion that I believe will result in a safer and more welcoming educational environment for all students.

I would like to thank my co-authors, Senator Olsen, Representative Quinn, and Representative Considine for their work on this bill and thank you, committee members, for your consideration of this proposal.



SHANNON ZIMMERMAN

STATE REPRESENTATIVE • 30th ASSEMBLY DISTRICT

Chairman Thiesfeldt and Committee Members,

I wanted to take a moment to thank Representative Quinn and Senator Olsen for authoring Assembly Bill 585 (AB 585), and urge the Committee to vote in favor of this important piece of legislation.

My testimony today is due to the dedication of wonderful constituents of mine from the St. Croix Valley Wisconsin Autism Support Group, including their founder Peg Scott. They are a grassroots organization that holds quarterly workshops, along with education events, that helps families with autism and other disabilities get connected with resources and a community. I have learned so much from her and I appreciate her passion and knowledge on these issues.

The reporting requirements of AB 585 are a necessary and important step in understanding more effectively what is happening inside our schools and with our children. This will enable all involved to help develop solutions and bring needed care to our kids. Making decisions without accurate data serves no one, thus the reason I urge you to support this bill.

The importance of properly and effectively providing assistance to those with special needs not only positively impacts these kids when young, but increases the probability of achieving greater independence once adults. All efforts to further advance this should be supported, and Assembly Bill 585 is a great example of this.

Thank you for your time.



WISCONSIN BOARD FOR PEOPLE
WITH DEVELOPMENTAL DISABILITIES

December 19, 2019

Representative Thiesfeldt
Chair, Assembly Committee on Education
Wisconsin State Capitol, Rm 223N
Madison, WI 53707

Dear Representative Thiesfeldt and Committee members:

The Wisconsin Board for People with Developmental Disabilities (BPDD) supports AB 585. This bill makes important common-sense changes to Wisconsin's existing law that ensure parents are notified quickly when seclusion and restraint is used, prohibits dangerous practices that can injure or even kill students, re-orient training to emphasize using de-escalation techniques first, and improves reporting requirements when incidents of seclusion and restraint occur.

Over the past three years, 20,000 incidents of seclusion and restraint occurred in Wisconsin schools. 80% of students involved in these incidents are students with disabilities.

Students with disabilities can achieve and learn with their peers with the right instruction and supports^[1]. But this can only occur when students feel safe at school and are present in the classroom. Removing students from the classroom disrupts academic learning. Use of restraint can be traumatic for children and can result in the student associating school with fear, pain, isolation, or injury. Neither is conducive to learning or quality education outcomes.

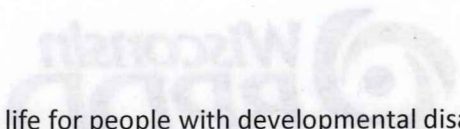
Many parents have described students whose attitude towards school have abruptly shifted and become negative or observed sudden shifts in behavior when discussing or going to school. Frequently, these behavior and attitude changes are the result of negative experiences at school, including seclusion and restraint.

Parents report discovering incidents of seclusion and restraint occurred after the fact and having trouble learning details about what happened. In many cases the content of the written incident report and the perception of the student may be very different and can lead to ongoing and escalating conflict and mistrust.

AB 585 provides greater transparency for parents to know when seclusion and restraint has been used on their child, clarity for districts on what must be reported, and better statewide data on use of these practices.

BPDD is charged under the federal Developmental Disabilities Assistance and Bill of Rights Act with advocacy, capacity building, and systems change to improve self-determination, independence, productivity, and

^[1] Research clearly shows that 99% of students – including those with disabilities – can learn grade-level content in the general education curriculum and achieve proficiency on grade level standards with the appropriate supports.



integration and inclusion in all facets of community life for people with developmental disabilities (more about BPDD https://wi-bpdd.org/wp-content/uploads/2018/08/Legislative_Overview_BPDD.pdf).

Our role is to seek continuous improvement across all systems—education, transportation, health care, employment, etc.—that touch the lives of people with disabilities. Our work requires us to have a long-term vision of public policy that not only sees current systems as they are, but how these systems could be made better for current and future generations of people with disabilities.

Thank you for your consideration,

Beth Swedeen

Beth Swedeen, Executive Director
Wisconsin Board for People with Developmental Disabilities

Wisconsin State Capitol, Room 333M
Madison, WI 53703

Dear Representative Thielstra and Committee members:

The Wisconsin Board for People with Developmental Disabilities (BPDD) supports the important common sense changes to Wisconsin's existing law that ensure parents are notified promptly when their child is at risk of being placed in a restrictive setting. We support the changes that will ensure that all students receive the most appropriate and least restrictive setting possible. We support the changes that will ensure that all students receive the most appropriate and least restrictive setting possible.

Over the past three years, 30,000 incidents of exclusion and restraint occurred in Wisconsin schools. 80% of students involved in these incidents are students with disabilities.

Students with disabilities can achieve and learn with their peers with the right instruction and supports, but this can only occur when students feel safe at school and are present in the classroom. Removing students from the classroom disrupts academic learning. Use of restraint can be traumatic for children and can result in the student associating school with fear, pain, isolation or injury. Neither is conducive to learning or quality education outcomes.

Many parents have described students whose attitude towards school have sharply shifted and become negative or observed sudden shifts in behavior when discussing or going to school. Frequently, these behavior and attitude changes are the result of negative experiences at school, including exclusion and restraint.

Parents report discovering incidents of exclusion and restraint occur after the fact and having trouble learning details about what happened. In many cases the content of the written incident report and the perception of the student may be very different and can lead to ongoing and escalating conflict and mistrust.

AB 582 provides greater transparency for parents to know when exclusion and restraint has been used on their child. Clarity for districts on what must be reported, and better statewide data on use of these practices.

BPDD is charged under the federal Developmental Disabilities Assistance and Bill of Rights Act with advocacy, capacity building, and systems change to improve self-determination, independence, productivity, and

Research clearly shows that 80% of students – including those with disabilities – can learn grade-level content in the general education curriculum and achieve proficiency on grade-level standards with the appropriate supports.

December 19, 2019

To: Assembly Committee on Education

From: Marcia Dewey

RE: In Favor of AB 585- Seclusion and Restraint Law Changes

My 7 year old son, Quinton, was diagnosed with ADHD at age 3 and Autism at age 4. We have been receiving special education services with the New Berlin School since he was in preschool. When he struggled with the transition from Kindergarten, we meet with the teachers and assistant principal due to challenging his behaviors and requested more support like he had in Kindergarten. In November we had a meeting to discuss results of a FBA and review the BIP to address these issues. The BIP was not implement and instead in early December the special education teacher approached me in the halls of school to say she couldn't have Quinton running in class anymore because once he begins to run his hyperactivity level increases. She noted she was trying to have a meeting with her boss to discuss it and was hoping she wouldn't need to "fill out a form each time." She noted she wanted to begin to restrain him when he runs. What she did not explain was what she meant by "restrain". Since one of my suggestions earlier in the year had been to intervene with Quinton with physical management (hand on shoulder, or grasp his arm and lead him out of the classroom when behavior escalates), I *incorrectly* assumed this is what we were referring to and agreed that physical intervention was needed at times. Restraint was then used *every day* on my child for the next 3 days (twice in one day). When I noticed red marks on his back after the third day I ask him about it. He then explained to be what restraint really meant. It's very heart breaking as a parent to find out about what the use of restraint means *after* it has been used on your own child. For you who are not familiar with the CPI restraints, I'll explain what my 39 lb, 7 year old explained to me. His arms are tied as if in a straightjacket by 2 adults, each pull his arms in opposite directions. They then lifted him off the ground and carried him this way through the classroom and hallways to another room. At times they shut him in the room and hold the door closed from the other side "seclusion" while he is [in their words]: "crying, screaming, banging on the door"

I sent an email to the school (including teachers, principal, special education director) requesting they immediate stop this restraint after I knew what was happening.. The response from the principal included: "if the need for restraint should occur it will be initiated by a trained individual(s) using methods deemed necessary in accordance with that training and Wisconsin Act 125" He noted we will be notified and reports available upon request. When Quinton's father then replied to that email requesting the reports (on Dec 18), the answer on Dec 21 was "as part of our January 5 meeting we plan to have all documentation to share with you" and also indicated "you may want this information prior to the meeting, however also realize without putting context to it, it may be difficult to understand"

At this point I investigated Wisconsin Act 125 myself via the internet. I discovered that despite the principal's assurance that they would be following Act 125, they were in fact in violation in many ways.

1. If restraint is considered necessary IEP meeting should be scheduled in advance of using the techniques
2. The first time that restraint is used on a child with a disability, the IEP team should convene ASAP
3. Restraint should only be used when "behavior presents a clear, present, an imminent risk to physical safety"
4. When requested reports should be made available "within 2 business days after the incident"
5. Wisconsin Act 125 (section 4 1.a-d) indicates exactly how the report must be presented to, we were told we would not understand unless it were "put it into context".

We told our son that we would stop this type of physical restraint. Unfortunately, we discovered we do not have that authority. When our son told his teachers that we wanted this to stop he was told that they can do it "because they are trained". Children with disabilities are 3 times as likely to be abused than typical children. We should not be sending the message to ANY child that it is ok to do things to their body that they do not like and that hurts because "we are trained" and most certainly not to those at higher risk of abuse.

When we use words like "restraint" and "seclusion" it's easy not to grasp what is really going on... dragging disabled children through the class and halls and locking them in a room. There's really one word that describes what is being done to our children and that word is... abuse.



The Arc Wisconsin

P.O. Box 201
Stroughton, WI 53589

Lisa Pugh, State Director

T 608.422.4250
pugh@thearc.org
arcwi.org

December 19, 2019

To: Representative Jeremy Thiesfeldt, Chair
Members, Assembly Committee on Education

From: Lisa Pugh, The Arc Wisconsin

Re: Assembly Bill 585 - Relating to: the seclusion and physical restraint of pupils.

Thank you for the opportunity to testify today. My name is Lisa Pugh and I am the State Director of The Arc Wisconsin, a statewide advocacy organization for people with intellectual and developmental disabilities and their families.

The Arc Wisconsin supports and has been advocating alongside other organizations for the introduction of this bill for several months, and I as a disability advocate professional have been working on issues related to seclusion and restraint of students with disabilities at both the state and national level since 2009.

Wisconsin is ahead of many states in that we have a quality seclusion and restraint law on the books, including definitions of when appropriate and safe seclusion and restraint can be used. Wisconsin passed the original law - Act 125 - because school districts, teachers and disability advocacy organizations were concerned about the potential for both students and staff getting injured or worse.

As with many laws of this type, over time we have all recognized room for improvement. Key essential areas for improvement are included in AB 585.

Nationally Congress is putting pressure on states to do better in their accurate tracking of seclusion and restraint. We can expect a report from the Government Accountability Office next spring which will unfortunately feature Wisconsin data inaccuracies.

According to the most recent official data in 2018 from the U.S. Department of Education, more than 124,000 students were physically restrained, mechanically restrained, or secluded in the 2015-2016 school year. Most of these, nearly 87,000, were restrained and over 37,500 were secluded. What these numbers do not tell us, however, is how many students are traumatized and develop negative attitudes toward school with possible lifelong negative effects on their learning and potential.

The vast majority of students being restrained and secluded are students with disabilities. They are 71 percent of all students restrained and 66 percent of all students secluded, despite only being 12% of the student population. This large discrepancy is often attributed to schools' lack of alternatives in place to prevent challenging behaviors that result in the use of seclusion and restraint, to untrained school staff, and to segregation of students in self-contained classrooms where these practices are believed to occur more frequently. (It is worth noting that 10% of students with disabilities in Wisconsin are either in separate special education schools or spend most of their time in segregated classrooms).

I mentioned an expected report by the Government Accountability Office. You may know that the GAO is a federal branch agency that provides auditing, evaluation, and investigative services for Congress. In 2018, the GAO was directed by Congress to investigate the reporting of seclusion and restraint across states.

As the agency began its investigation, it became concerned that the official data coming from states was inaccurate. GAO was particularly concerned about the significant number of school districts nationally that are not reporting any seclusion and restraint incidents, even though parents and advocates indicate these practices are occurring frequently. In the 2015-2016 school year, 70 percent of the more than 17,000 school districts in the U.S. reported zero incidents of restraint and zero incidents of seclusion. GAO's initial data reliability testing raised questions about the completeness and accuracy of all restraint and seclusion data across the country. Their preliminary report noted the need for the U.S. Department of Education to take immediate steps to address underreporting.

Disability advocates have long been concerned about such under-reporting in Wisconsin. In the 2015 open records request survey by Disability Rights Wisconsin, (the only way currently to track this data) about one-fifth of all Wisconsin districts reported no incidents of seclusion and restraint and nearly 10 percent did not respond to the data request at all. In the painstaking analysis of the data from the state's 410 school districts' that responded, Disability Rights Wisconsin found a total of 20,131 incidents of seclusion and restraint were reported across our schools for the 2013-14 academic year. This figure is nearly 40% above the 14,458 incidents reported by Wisconsin to the U.S. Department of Education for that period.

As part of its investigation GAO identified 3 states to feature and Wisconsin was one they visited earlier this year. Our state was likely selected due to the significant discrepancy in the data that was uncovered by Disability Rights Wisconsin. –

The changes proposed in AB 585 will address many of the reporting concerns identified by GAO by clarifying the definition of "incident" and requiring that restraint and seclusion data be reported to the state as well as to school boards (under current law, only school boards receive the data). State level reporting of this data will be a significant improvement for many reasons.

Right now, a district has no means of comparison to determine if they are doing a good job and DPI has no way to identify districts in need of support. Perhaps most importantly, parents have no way to see how their own school is doing or to use the information to decide about which district they may wish to attend.

The improvement in parent reporting in this bill is also key.

On a personal note, earlier this year I learned that my own daughter, who is non-verbal and has an intellectual disability, had been restrained twice. I did not learn about these restraints from her school district, but rather from another parent who heard about it in casual conversation with other school staff. It was only after I asked the district about this third-hand information that I got two written reports, many months later. Under current law I should have been told about the report within one business day. Other parents across Wisconsin are having similar experiences. This is a significant concern that the bill will for sure change.

We can do better. School districts need clearer definitions of what an incident is, what to do next, when it should be reported, and to whom. Parents must be engaged as active participants in finding solutions to challenges with their children, but most importantly, they should be fully informed about these incidents any time they occur.



See Our ~~dis~~Ability

To Members of the Assembly Committee on Education:

Please support AB 585, improving Wisconsin's regulations on restraint and seclusion. Research shows that the prone position(face-down) is a dangerous and potentially lethal restraint position. Explicitly prohibiting prone restraint would save lives. In addition to the risk of death, the trauma disabled people endure does lasting damage well into our adult lives. As an organization that serves adults with disabilities, it is common among our members to have difficulty recognizing abuse and asserting one's self. When one is discouraged from voicing their feelings and physical discomfort from an early age, it sets them up to ignore the warning signs their stress is going to boil over.

We wouldn't wait until a person had slurred speech or arm paralysis to get help for an impending heart attack. We take care of their physical health immediately. Why on earth do we wait when a similar crisis threatens social and emotional health? Updating the training requirements for an increased focus on de-escalation is critical. De-escalation involves a set of steps or degrees in-between feeling good and crisis mode. When staff focus on these steps in-between students are more likely to recognize their feelings rising—and keeps small problems from growing any bigger.

People First supports the independence of, and skill-building for people with disabilities. Listen to research that supports learning internal controls.

Sincerely,

People First WI

Systems Change Consulting, LLC
Jeffrey Spitzer-Resnick
Attorney at Law
430 Sidney St.
Madison, WI 53703
(608) 206-7164

December 18, 2019

TESTIMONY IN FAVOR OF AB 585
SUBMITTED ON BEHALF OF THE AUTISM SOCIETY OF SOUTH CENTRAL
WISCONSIN

After 12 years of effort, advocates, families and victims of the inappropriate use of seclusion and restraint on Wisconsin school children celebrated when Act 125 was signed into law by then Gov. Walker, which was passed unanimously by Wisconsin's legislature. The law went into effect on September 1, 2012. Although many of us who worked so hard for so long to pass this bill celebrated, and I still have Gov. Walker's pen from the bill signing as a memento, we knew at the time, that due to necessary compromises which were made in order to achieve legislative passage, that the bill was less than ideal.

Since Wisconsin's seclusion and restraint law went into effect, we have learned a lot about the use of these aversive techniques on Wisconsin's school children. We now have an answer that had previously eluded us as to how many children are victims of these techniques, and sadly, we know those numbers are in the thousands. We also know that due to some flaws in the original legislation, we have been stymied in making more progress in reducing the use of these aversive techniques in favor of positive behavioral interventions and supports (PBIS). From my own vantage point, not a day has gone by since the passage of Act 125, when I do not have clients who have suffered under the use of seclusion and restraints, and a significant number of those clients are on the autism spectrum. Moreover, parents continue to wonder whether there are better and safer places to send their children, who are victims of these aversive techniques, to school.

That is why, on behalf of the Autism Society of South Central Wisconsin, in my role as Advocacy Chair, I am here to urge you to pass AB 585, which addresses some of the critical flaws in Act 125, as follows:

- Requires that seclusion rooms cannot have a lock on the door;
- Bans the use of prone restraints on school children, as they are potentially lethal;
- Improves the mandatory training requirements for those authorized to use physical restraints on school children to require: a) evidence-

based instruction on PBIS; 2) evidence based techniques shown to prevent or reduce the use of restraints; and the ability to identify prohibited restraint techniques;

- Adds law enforcement officers who use seclusion or restraint in a school building to those who must meet the notice and reporting requirements under the law;
- Requires the school principal to meet with those who participated in the incident to discuss the events that occurred before, during and after the use of seclusion or restraint and how to prevent the need for its use in the future;
- Applies the notice, reporting and debriefing requirements to private school students if public school students have placed the child there; and
- Requires school districts to provide their annual seclusion and restraint data to DPI, and to disaggregate that data to identify the number of incidents that involve children with disabilities.

Taken together, the provisions in AB 585 will hopefully reduce the use of seclusion and restraint, make its use safer when it is used, and provide greater transparency to the public about its use. This transparency will not only help parents make better decisions about where to send their children to school, but it will provide opportunities for school districts and DPI to identify areas where schools are struggling by overusing these aversive techniques and can learn from schools who have successfully learned how to use PBIS instead of seclusion and restraint.

On behalf of the Autism Society of South Central Wisconsin, I urge you to swiftly pass SB 585.

Date: December 19, 2019

To: Representative Thiesfeldt and Representative Kitchens and Members of the Assembly Committee on Education

From: Sally Flaschberger- Lead Advocacy Specialist- Disability Rights Wisconsin

RE: AB 585

Registering in Support of AB 585

My name is Sally Flaschberger and I am a lead advocate for Disability Rights Wisconsin. Thank for the opportunity to testify today regarding common sense changes to the seclusion and restraint law. I want to thank the authors of this bill Representative Quinn, Representative Considine, Senator Olsen, and Senator Johnson for their bi-partisan support of this bill. We appreciate the support we have already received from committee members who have signed on to this bill.

Disability Rights Wisconsin is Wisconsin's Protection and Advocacy system for people with disabilities. A major focus of our work both individually and systemically across the state focuses on special education and the rights of students with disabilities. One of DRW main priorities is supporting families whose children who may face inappropriate or overuse of seclusion and restraint in public schools.

In 2009, Disability Rights Wisconsin, WI Family Ties, and WI Facets collaborated on a report that revealed a critical need for regulation around harmful practices of seclusion and restraint in our public schools. Stakeholders across the state came together and in 2012 landmark legislation was enacted to provide regulations and protections around the use of seclusion and restraint. The current law has several key components, including prohibiting certain forms of restraint, and limiting the use of seclusion and restraint to situations in which there is immediate risk to physical safety. Schools are also required to notify parents and prepare a report on each incident of seclusion and restraint. School districts are required to annually submit the number of incidents of seclusion and restraint to their local school board. These provisions remain the same.

In the fall of 2013, Disability Rights Wisconsin, WI Family Ties, and WI FACETS sent an open records requests to all school districts in Wisconsin to receive the first year of data reported to school boards on the use of seclusion and restraint. This was not a small undertaking but did result in the first real numbers on how often seclusion and restraint was being used, and how many students were involved. The numbers were unfortunately high, and there was great confusion around the particulars of the law. This confusion was not only in the use of seclusion and restraint but also around the reporting requirements for each school district. Our report documented over 20,000 incidents of seclusion and restraint in Wisconsin public schools with 80% of these incidents taking place on students with disabilities. There were wide ranges between school districts and great discrepancies on how the data was reported. I had several school districts call and ask if there was a form to report this information to their school boards and where was the form on the DPI website.

In the fall of 2014, we pursued a second open records request and the overall use of these practices remained the same in the total number and the percentage of use on students with disabilities. While the reporting was somewhat improved, the variation remained great between school districts. Our agencies prepared an even more depth report with several recommendations of ways to improve the law. Before

| MADISON | MILWAUKEE | RICE LAKE | |
|---|---|---|---------------------------------|
| 131 W. Wilson St. Suite 700 Madison, WI 53703 | 6737 West Washington St. Suite 3230 Milwaukee, WI 53214 | 217 West Knapp St. Rice Lake, WI 54868 | disabilityrightswi.org |
| 608 267-0214 608 267-0368 FAX | 414 773-4646 414 773-4647 FAX | 715 736-1232 715 736-1252 FAX | 800 928-8778 consumers & family |

the release of this report in February of 2016, DPI convened a wide group of stakeholders including the Wisconsin Council of Administrators of Special Services, Wisconsin School Administrators Alliance, and Wisconsin Association of School Boards to discuss our recommendations to changes to the law. This began a collaborative process to get us to where we are today.

The first most important change for our agency is the reporting to families on individual incidents involving their children. Currently, the law requires notification to families as soon as possible and no longer than 24 hours, preparation of the incident report by the school within 72 hours, and alerting families the report is available. The current law does not require the school to actually give the report to the family. In my advocacy work, I have assisted many families who are not aware that a report was available. When they reach out to us for assistance, it is often because seclusion or restraint is being overused or their child has been injured during a restraint. As an advocate, I immediately request the reports and families are often shocked when they learn the details involved in the incident. Often, they struggle with tremendous guilt not knowing what was happening at school because they didn't receive the report. If families had these reports upfront, they would work more closely with schools for alternative solutions to these practices. It is as simple as the school handing the family a report, emailing the report, or mailing the report. This change will benefit both families and districts.

The second important change is to include reporting the annual numbers for the use of seclusion and restraint in schools to DPI. Districts would continue to report to their school boards but also require them to provide that same information to the state. This will allow DPI to create a method for reporting that will be uniform across the state and allow a much easier process for school districts. It will take the guess work out of reporting. Annual reporting to DPI will also create greater transparency for families on the use of these practices in their school districts and school districts around the state. With this data going to DPI, we envision DPI being able to provide greater technical assistance and resources to schools to help reduce the use of these practices.

I have worked with many families over the course of the last 11 years and one families story stands out to me. The child was in elementary school student was having significant behaviors at school. The school was using seclusion and restraint to try and deal with the behaviors. The parent was being told about the incidents but was not told a report was available. When the parent contacted DRW, we were able to obtain the reports and found that the student had been restrained and secluded an extreme amount. The reports clearly showed an overuse and that not all the reasons were an imminent threat. The parent was extremely upset when she learned the details of the events and this had been happening to her daughter for over 4 months. The parent and the student were severely traumatized by the situation and the parent had incredible guilt from not knowing what was going on with her child. If the parent had received the reports up front, the situation may have been resolved much sooner instead of after 4 months of daily seclusion and restraint.

Our goal is to keep kids safe, provide better transparency across the State on the use of these practices, and to be sure families are given appropriate notification including written incident reports. We ask that your committee approve this bill and help to move it forward before the end of this session.

Senate

Record of Committee Proceedings

Committee on Education

Senate Bill 527

Relating to: the seclusion and physical restraint of pupils.

By Senators Olsen, Johnson, Darling, Bewley, Cowles, Kooyenga, Larson, Schachtner and L. Taylor; cosponsored by Representatives Quinn, Considine, Dittrich, Bowen, Cabrera, Crowley, Doyle, Edming, Felzkowski, Jagler, Kulp, Milroy, Novak, Ohnstad, Ramthun, Rodriguez, Sargent, Spreitzer, Subeck, C. Taylor, Tittl, Vruwink, Wittke and Zimmerman.

October 25, 2019 Referred to Committee on Education

November 19, 2019 **Public Hearing Held**

Present: (8) Senator Olsen; Senators Darling, Nass, Kooyenga, Larson, Bewley, Johnson and Schachtner.

Absent: (0) None.

Excused: (1) Senator Bernier.

Appearances For

- Angela Wendling
- Amber McGinley - AASD SEPTA President
- Executive director Lisa Pugh - The arc Wisconsin
- Molly Immendorf
- Nicki Vander Meulen - Myself
- Legislative liaison Tami Jackson - Wisconsin board for people with developmental disabilities
- Advocate Sally Flaschberger - Disability Rights Wisconsin
- Joshua Rabel - My daughter
- Joanne Juhnke
- Director Student Services Amanda Mazurkiewicz
- Jeff Spritzer-Resnick - Autism Society Of South Central Wisconsin
- Hugh Davis - Wisconsin Family Ties
- Senator Luther Olsen - 14th Senate District
- Katie French
- Advocacy Specialist Sally Flaschberger - Disability Rights Wisconsin
- Kimberlee Coronado - My children

Appearances Against

- None.

Appearances for Information Only

- Executive director John Forester - Wisconsin School Administrators Alliance
- Mr Dan Rossmiller - Wisconsin Association of School Boards

Registrations For

- Shannon Zimmerman - Representative
- Representative Romaine Quinn
- Anna Moffit - NAMI Dane County
- Kelli Simpkins - Madison Partners for Inclusive Education
- Co-Chair Lisa Pugh - Survival Coalition
- Jennifer Moore
- Public Policy and Advocacy Director Crystal Hester - NAMI Wisconsin

Registrations Against

- None.

Registrations for Information Only

- None.

Jenna Zantow
Committee Clerk



P.O. Box 7222, Madison, Wisconsin 53707

Date: December 19th, 2019

To: Assembly Committee on Education
From: The Survival Coalition of Wisconsin Disability Organizations

RE: Support for AB 585

Representative Thiesfeldt, Representative Kitchens and Committee Members:

The Survival Coalition of Wisconsin Disability Organizations is comprised of over 30 statewide groups representing people with all disabilities and all ages, their family members, advocates and providers of disability services. Organizations in our coalition represent and work with students with disabilities and their families across the state and support these common-sense changes in AB 585 for the seclusion and restraint law

An investment in quality public education for every child with a disability should result in a safe and healthy environment. In two recent surveys conducted by the coalition, Wisconsin parents of children with disabilities are reporting significant dissatisfaction with special education supports and services. Giving parents access to information and open communication is a key component in developing relationships and overall satisfaction for families with their school district.

Survival Coalition supports greater access to information for families through annual reporting to DPI and providing written incident reports to parents that include detailed information about the event. The newly created de-briefing will provide another layer of protection for students and allow school personnel to consider what to do better next time for the student. By updating the training to focus more specifically on de-escalation, staff will have a greater understanding how to diffuse a situation before it becomes an emergency situation. These changes have a chance to reduce the over 20,000 uses of seclusion and restraint annually on students in our public schools.

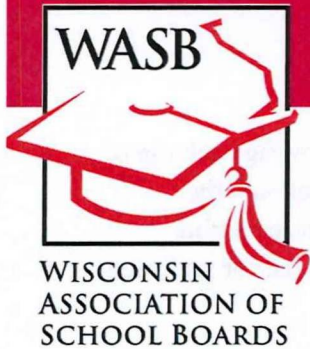
Survival Coalition appreciates Representative Quinn and Considine and Senators Olsen and Johnson for authoring this bi-partisan bill which will help protect students with disabilities. Please support AB 585 and pass it out of committee.

Sincerely, Survival Co-Chairs:

Beth Swedeen, beth.swedeen@wisconsin.gov; (608) 266-1166;

Kristin M. Kerschensteiner, kitk@drwi.org; (608) 267-0214

Lisa Pugh, pugh@thearc.org; (608) 422-4250



122 W. WASHINGTON AVENUE, MADISON, WI 53703
PHONE: 608-257-2622 • TOLL-FREE: 877-705-4422
FAX: 608-257-8386 • WEBSITE: WWW.WASB.ORG

JOHN H. ASHLEY, EXECUTIVE DIRECTOR

TO: Members, Assembly Committee on Education
FROM: Dan Rossmiller, WASB Government Relations Director
DATE: December 19, 2019
RE: Testimony on ASSEMBLY BILL 585, relating to the seclusion and physical restraint of pupils.

The Wisconsin Association of School Boards (WASB) is a voluntary membership association representing all 421 of Wisconsin's locally elected public school boards. I am here to speak on their behalf.

Assembly Bill 585 would make a number of changes to state statutes regarding the use of seclusion and physical restraint of pupils in schools. The WASB was involved in the development of the legislation that established Wisconsin's seclusion and restraint as 2011 Wisconsin Act 125 and we supported that legislation.

The WASB was also part of the development process of this bill and had input into the improvements in the bill, along with other groups representing K-12 education. School district administrators and special education directors, as well as the Department of Public Instruction (DPI), were also involved in that process. I want to thank advocates for those with disabilities, particularly Disability Rights Wisconsin, WI FACETS, and Wisconsin Family Ties, for inviting the WASB into the conversation.

Without question this bill will impose new requirements and additional work on school personnel. The potential costs and workload that will result from these new requirements make it difficult for the WASB to support the bill. However, while the WASB is officially neutral on this bill, we believe a number of changes made by the bill will be beneficial to pupils and parents. For that reason, I want to make it clear that we do not oppose Assembly Bill 585 or its provisions.

Seclusion and restraint techniques are intended to be used to calm unruly or out of control pupils. It is important to keep in mind that these techniques are to be used only when the pupil's behavior presents a clear, present, and imminent risk to the physical safety of the pupil or others and the technique is the least restrictive intervention feasible. Broadly speaking, seclusion involves confining a pupil apart from other pupils in a room from which the pupil cannot exit freely, while restraint involves the use of techniques to immobilize a pupil or reduce a pupil's ability to freely move his or her torso, arms, legs, or head.

The bill before you today reflects a number of changes sought primarily by advocates for students with disabilities. The bill includes changes intended to better ensure that parents receive actual notice of the use of seclusion or restraint techniques on their child and a copy of the report required when seclusion or restraint is used. It includes changes sought by advocates for children with disabilities to the components of the training required to be completed by covered individuals (i.e., teachers, aides and other school staff, other persons such as contractors providing educational services to the district, and student teachers) before physical restraint may be used.

The bill adds a new requirement for school personnel to convene for a debriefing session following each use of seclusion or physical restraint on a pupil. These provisions require the school principal to meet with the individuals covered by this law who participated in the incident to discuss the events that occurred before, during, and after the use of seclusion or physical restraint on a pupil, and how to prevent the need for seclusion or physical restraint in the future.

The bill brings law enforcement officers, including school resource officers, who utilize seclusion or restraint on a pupil under certain statutory requirements, including these parental notification requirements and debriefings required under the bill following an incident involving the use seclusion and restraint. Thus, where a law enforcement officer is involved in the incident, that officer is also subject to the debriefing process.

The bill also amends a requirement to convene a pupil's Individualized Education Program (IEP) team so that the meeting is held within ten school days after the second time seclusion or physical restraint is used on a child with a disability within the same school year rather than after the first incident. Mention of seclusion and restraint in the IEP is eliminated as part of this change.

A concern shared by the WASB as well as school administrators during the process of developing this bill regards where data on reportable incidents of seclusion and restraint techniques should be housed. Confronted with open records requests for this data, including how often the use of seclusion and restraint involved students with disabilities, schools often faced a dilemma about whether they could comply with such requests without compromising individual student's privacy under the state and federal privacy laws. In small school districts or individual schools with smaller enrollments or relatively few uses of seclusion and physical restraint, complying with these requests could often result in the release of personally identifiable information about individual pupils, which is prohibited.

This issue is addressed in this bill by requiring the data to be reported to the DPI. We believe this will result in uniform disclosure of this information and better protection of pupil's sensitive personal information. We hope it will reduce the number of open records requests filed with individual schools or school districts and will also lift the burden on school boards and administrators of having to determine on a case-by-case basis whether public records requests regarding the use of seclusion and restraint may be honored as submitted or whether privacy protections in our pupil records laws limit disclosure.

The changes or improvements to the bill can broadly be described as the four "D's": changes to training to emphasize **de-escalation**; requirements to hold a **debriefing** session following incidents of seclusion or restraint; provisions requiring **delivery** of the incident reports to parents; and requirements that **data** on incidents be reported to the **DPI**.

Thank you for the opportunity to share our perspective on this bill.



School Administrators Alliance

Representing the Interests of Wisconsin School Children

TO: Assembly Committee on Education
FROM: John Forester, Executive Director
DATE: December 19, 2019
RE: AB 585 – The Seclusion and Physical Restraint of Pupils.

The School Administrators Alliance (SAA) is testifying for information only on Assembly Bill 585, relating to the seclusion and physical restraint of pupils. The SAA is officially neutral on this bill, but I want to make it very clear that we are not opposed to any portion of the bill.

I want to thank Senator Olsen and Representative Quinn for allowing the SAA to be a part of this bill development process to make improvements to Wisconsin's seclusion and physical restraint law. I also want to extend my appreciation to my colleagues with Disability Rights Wisconsin, WI FACETS, Wisconsin Family Ties, the Wisconsin Association of School Boards and other participants in the discussions that led to AB 585. It was a very lengthy process that required patience, compromise, accommodation and, most of all, determination on the part of everyone involved.

From our perspective, one of the most important provisions of this legislation would require districts to report seclusion and restraint data annually to the Department of Public Instruction (DPI) in addition to the reporting to local school boards required under current law. Over the past several years, numerous SAA members have shared with us the legal uncertainty they faced when determining if they should report district data involving a low number of seclusion or restraint incidents, and thereby potentially infringing on the privacy of certain students and their families. This change will largely remove this burden from local school districts and ensure greater consistency in the reporting and distribution of this information.

Some observers will see the additional requirements this legislation creates for school management (in the areas of data reporting, parent notification, staff debriefing, etc.) and they will wonder how the SAA could possibly sign off on this bill. I want the committee to understand that, in addition to including several district special education directors in the discussions, we also engaged the services of one of Wisconsin's finest special education attorneys to help guide our decision-making through every step of this bill development process. Ultimately, our attorney provided us with two major conclusions regarding the additional requirements in the bill: 1) These requirements mirror best practices that will help to best serve the interests of Wisconsin students; and 2) If districts perform these additional requirements with fidelity, it will significantly minimize potential legal liability involving incidents of seclusion and/or restraint. And I believe these conclusions should provide all of us with a good deal of comfort about this legislation.

Thank you for your consideration of our views. If you should have any questions regarding our position on AB 585, please call me at 608-242-1370.



Wisconsin Family Ties

Testimony to the Assembly Committee on Education

In support of AB 585, Improvements to the Restraint & Seclusion Law

December 19, 2019

Hugh Davis, Executive Director

Wisconsin Family Ties

Thank you for the opportunity to address the committee today.

Assembly Bill 585 is the culmination of dozens of hours of constructive meetings between education stakeholders, including families, advocates, the Wisconsin Council of Administrators of Special Services (WCASS), the Wisconsin Association of School Boards (WASB), the Wisconsin School Administrators Alliance (SAA), and the Department of Public Instruction.

The bill before you today primarily consists of technical changes based on data collected since the current state law on the use of restraint and/or seclusion in public schools went into effect in 2012. AB 585 provides much-needed clarity on what does and does not constitute an incident of restraint or seclusion, when such incidents need to be reported, how they need to be reported, and to whom reports should be sent.

The bill also requires that principals and staff involved in such incidents meet for debriefing. The research on restraint is clear: The moment these techniques are used, the likelihood of injuries to staff and children rises significantly. Debriefing is widely recognized as an effective tool to prevent future incidents of restraint and/or seclusion.

Finally, AB 585 increases the emphasis of training requirements on de-escalation. The data collected and analyzed by Wisconsin Family Ties and Disability Rights Wisconsin show that the number of incidents of restraint or seclusion remained static over a three-year period, at approximately 20,000 per year, and were disproportionately applied to elementary students with disabilities. All of the aforementioned stakeholders were unified in their belief that we can and should find better ways to meet the behavioral needs of these vulnerable students. The clarifying changes in AB 585 will help school staff, administrators, and educational stakeholders do just that.


Wisconsin Family Ties strongly supports AB 585, and urges its passage in this committee and the full Assembly.


Wisconsin's family voice for children's mental health


16 North Carroll Street, Suite 230 • Madison, WI 53703 • 608.267.6800 or 800.422.7145 • www.wifamilyties.org

A Member Agency of Community Shares of Wisconsin and Northwoods United Way

JOANNE JUHNKE

 (608) 320-6165

 joannethatsme@yahoo.com

 430 Oak Crest Ave.
Madison, WI 53705

Testimony in FAVOR of AB585

My name is Joanne Juhnke, and I'd like to thank Representative Thiesfeldt, co-author Representatives Quinn and Considine, and this committee for hearing AB 585 on improving our state's law on restraint and seclusion. Today was a long time coming, and represents years of collaborative work with many stakeholders. Since I am no longer working with Wisconsin Family Ties in a policy capacity, today I'm speaking as the mother of a daughter with a complex Individualized Education Program (IEP), who finds school to be a challenging environment.

This bill makes a lot of small changes that represent big steps forward for our kids. I'm going to speak to just one of those improvements. Under current statute, after one incident of restraint and/or seclusion involving a student with a disability, the IEP team is required to convene to make any necessary revisions and make sure that the IEP "contains appropriate positive behavioral interventions and supports and other strategies to address the behavior of concern." But under current law, the team is also tasked with deciding whether restraint or seclusion "may reasonably be anticipated for the child" and if so, restraint or seclusion must be added to the IEP.

Here's how that played out in real life with my daughter Miriam.

On the very first day of 5th grade, Miriam was with a new aide and chose to leave the building, out the front door at full speed, headed toward a busy street. The dash represented a "clear, present, and imminent risk" to her physical safety, and a tackle was literally the only thing that kept her from dashing into traffic. That right there was a textbook example of why restraint needs to be legal as an emergency intervention. I am glad Miriam's aide saved her life with a tackle.

I am also glad that her school was pro-active with the best practice of getting staff together for debriefing and problem-solving. Under the bill, debriefing will be required; in my daughter's case, they got it figured out such that she never dashed out for the rest of the year.

However, when we held the required IEP meeting, my husband and I were not able to convince the rest of the team that their plans were actually going to work. Remember, under current law the IEP team has to decide whether they'll need to use restraint again. And I can tell you from experience how that goes: they will ALWAYS cover their bases and tell you that since it happened once, we HAVE to anticipate that it might happen again. So suddenly, against her parents' express wishes, Miriam had restraint written into her IEP.

Then at the beginning of 6th grade, we had a new special education teacher assigned at the last minute. She read that IEP before she met Miriam, and made a mental note that here was a kid who might need to be restrained. And just like that, restraint went from a last-ditch emergency possibility to a planned intervention. When you remind someone that they're holding a hammer, they're a lot more likely to see a situation as a nail.

This bill will allow IEP teams to get back to the business of planning for restraint and seclusion NOT to happen, rather than feeling forced to plan that these aversive interventions WILL be used.

Under this bill, IEP teams won't have to meet unless there have been two incidents, and they will no longer be given conditions that compel them to plan for restraint and seclusion in the IEP. Instead, they will have the freedom to make the IEP truly individual.

For students with disabilities like my daughter all over Wisconsin, I ask you to advance AB 585 so it can finally be passed into law.

Assembly Education Committee
December 19, 2019

**Wisconsin Department of Public Instruction
Statement for Information on Assembly Bill 585**

Background: 2011 Act 125

In 2011 with the passage of 2011 Act 125 Wisconsin became one of 38 states to regulate public school use of emergency measures known as physical restraint and seclusion. 2011 Wisconsin Act 125 took effect September 1, 2012.

The legislation applies to both regular and special education students and prohibits the use of seclusion or physical restraint except when certain conditions apply. Under Wisconsin statute 118.305, seclusion 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 under statute, and mechanical or chemical restraints may not be used. Seclusion rooms may not be capable of being locked, 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, its use must be specified 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 of the law include parental notification, documentation, and training on the safe use of physical restraint, including ways to deescalate behavior.

Analysis: Assembly Bill 585

Assembly Bill 585 (AB 585) changes current law by requiring a debriefing for staff involved following an incident, clarifying that notice requirements also apply to incidents involving law enforcement officers, and that the written report be provided to parents through first class mail, electronic submission, or hand delivery. Debriefing meetings are required. It should be noted that these meetings do not constitute IEP team meetings. As such, revisions cannot be made to the IEP in a debriefing.

The bill also updates the components of employee training to emphasize the use of de-escalation and prevention. AB 585 further requires a meeting of the IEP team within 10 school days following the second time seclusion or physical restraint is used within a school year.

Under current law the use of mechanical restraints on a pupil is prohibited. The bill clarifies that the use of vehicle safety restraints while transporting a pupil in a moving vehicle is not the use of a mechanical restraint. Additionally, AB 585 updates the list of prohibited maneuvers and techniques to include any maneuver or technique which places the student in the prone position, and prohibits doors to seclusion rooms or areas from having any lock on it.

AB 585 requires that an annual report on the use of seclusion and physical restraint be submitted by school districts to the Department of Public Instruction by December 1, and specifies the data districts must report.

Thank you for the opportunity to provide information on AB 585. Please feel free to contact us with any questions.