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## Luther S. Olsen

State Senator

14th District

**TO:** Senate Committee on Education  
**FROM:** Senator Luther Olsen  
**DATE:** Tuesday, November 19, 2019  
**SUBJECT:** Testimony for Senate Bill 527

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Thank you members of the Senate Committee on Education for holding a hearing and allowing me to testify in support of Senate Bill 527 (SB 527).

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.

Senate Bill 527 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 members for holding a hearing today. I ask for your support on SB 527 and am available to answer any questions that you may have.





# STATE SENATOR LaTonya Johnson

WISCONSIN STATE SENATE

6TH DISTRICT

**Senate Committee on Education  
Testimony on Senate Bill 527  
November 19, 2019**

Good morning members of the committee,

Thank you for holding this hearing on Senate Bill 527 (SB 527), 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.

SB 527 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.

SB 527 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. SB 527 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. SB 527 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.





# Romaine Quinn

STATE REPRESENTATIVE • 75th ASSEMBLY DISTRICT

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Chair Olsen and members of the Committee:

Thank you for allowing me to submit written testimony in support of Senate Bill 527, 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.

Senate Bill 527 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 SB 527 and I ask for your support of the bill.



# SHANNON ZIMMERMAN

STATE REPRESENTATIVE • 30<sup>th</sup> ASSEMBLY DISTRICT

Chairman Olsen and Committee Members,

I wanted to take a moment to thank Senator Olsen and Representative Quinn for authoring Senate Bill 527 (SB 527), 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 SB 527 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 Senate Bill 527 is a great example of this.

Thank you for your time.





Senate Education Committee  
November 19, 2019

### Statement for Information on Senate Bill 527

#### **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: Senate Bill 527**

Senate Bill (SB 527) 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. SB 527 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, SB 527 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.

SB 527 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 SB 527. Please feel free to contact us with any questions.

To: Senator Olsen and Senator Darling and Members of the Senate Committee on Education  
From: Sally Flaschberger- Lead Advocacy Specialist- Disability Rights Wisconsin  
Date: November 19, 2019  
RE: SB 527- In Support

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 Senator Olsen, Senator Johnson, Representative Quinn and Representative Considine for their bi-partisan support of this bill. But, especially Senator Olsen and his staff for helping our stakeholder group over the course of several years to get this bill drafted and to today's hearing. The proposal you are considering today will significantly improve the transparency of the use of seclusion and restraint across the state, provide better parent notification, keep kids safe from dangerous prone restraint, give staff an opportunity to debrief, and revise the training to focus more on de-escalation.

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's main priorities is supporting families whose children 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.

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In the fall of 2014, we pursued a second open records request and the overall results were the same. While the reporting was somewhat improved, the variation remained great between school districts. The collaborating agencies prepared an even more in-depth report with several recommendations of ways to improve the law. Before 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.

Link to report: <http://www.disabilityrightswi.org/wp-content/uploads/2018/12/Seclusion-and-Restraint-in-Wisconsin-Public-Schools-District-2013-2014-Miles-to-Go.pdf>

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 up front, 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 annual numbers of 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.

A client of mine was not able to be here today but I would like to share her story:

*Quinton is a student with autism and was in kindergarten at the time. Quinton's special education teacher met the parent in the school hallway to tell her she would have to begin to use restraint to control his "behaviors". The parent agreed that sometimes guiding him with a hand on the shoulder or taking him by the hand is a good strategy. It became painfully obvious they were not talking about the same thing when he came home from school with red marks on his shoulder. The parent asked her son "What happened*

*here?" "The teachers grabbed me.," he replied. He then demonstrated how his arms were tightly wrapped across his body in a knot by 2 teachers, each lifting him by his twisted arms and carrying him to a room where he was secluded. Shocked, Marcia called the school and demanded they stop "restraining" her son immediately. She was told the school had the right to restraint and she could not stop them. There had been no Individualized Education Program meeting, no written plan. Marcia had never been notified what the teacher meant by "restraints" and she was not notified that a written report was available.*

*The school had violated Act 125, a law limiting the use of restraints in schools to emergencies, requiring parental notification and implementation of positive behavior plans. Marcia filed a grievance and contacted Disability Rights Wisconsin. Working with an advocate from DRW, the school district agreed to adopt a conforming policy with a checklist requiring a written plan, debriefing, and parent notification. This resulted in a positive behavior intervention plan and no more restraints for Quinton.*

The changes to the current law would have required the parent to receive a report after the use of restraint. She would have clearly understood what happened and could have worked with the school sooner to eliminate these practices.

DRW serves many families each year whose children are subject to these practices. 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.

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November 19, 2019

To: Senator Luther Olsen, Chair  
Members, Senate Committee on Education

From: Lisa Pugh, The Arc Wisconsin

Re: SB 527 Relating to: 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 SB527.

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 a majority 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 look into 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 SB 527 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 make a decision 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. In one incident my daughter was restrained because she signed that she had to use the bathroom - but no one took her. According to the report I finally received, she ended up getting BM on her hands and was restrained for 35 minutes until staff could get cleaning supplies. For the record, this was not an appropriate restraint under current law and is also something that should have been reported to the school board and to me. It clearly was not.

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.





# Survival Coalition

of Wisconsin Disability Organizations

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*P.O. Box 7222, Madison, Wisconsin 53707*

Date: November 19<sup>th</sup>, 2019

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

RE: Support for SB 527

Senator Olsen, Senator Darling 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 SB 527 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.

SB 527 will provide improved access to information about seclusion and restraint for families through annual reporting to DPI. In addition parents will also receive a written incident report that includes detailed information about the event. Required 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 training to focus more specifically on de-escalation, staff will have a greater understanding of how to diffuse a situation before it becomes an emergency situation. These changes make progress toward reducing the over 20,000 incidents of seclusion and restraint annually on students in our public schools.

Survival Coalition appreciates Senators Olsen and Johnson and Representative Quinn and Considine for authoring this bi-partisan bill, which will help protect students with disabilities. Please support SB 527 and pass it out of committee.

Sincerely, Survival Co-Chairs:

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

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

Lisa Pugh, [pugh@thearc.org](mailto:pugh@thearc.org); (608) 422-4250





## **School Administrators Alliance**

*Representing the Interests of Wisconsin School Children*

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**TO:** Senate Committee on Education  
**FROM:** John Forester, Executive Director  
**DATE:** November 19, 2019  
**RE:** SB 527 – The Seclusion and Physical Restraint of Pupils.

The School Administrators Alliance (SAA) is testifying for information only on Senate Bill 527, 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.

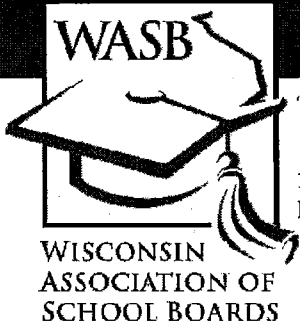
I want to thank Senator Olsen for allowing the SAA to be a part of this bill development process to make improvements to Wisconsin's seclusion and physical restraint law. I also want to extend my appreciation to my colleagues with Disability Rights Wisconsin, WI FACETS, Wisconsin Family Ties, the Wisconsin Association of School Boards and other participants in the discussions that led to SB 527. 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 SB 527, please call me at 608-242-1370.





"Leadership in Public School Governance"

JOHN H. ASHLEY, EXECUTIVE DIRECTOR

122 W. WASHINGTON AVENUE, MADISON, WI 53703  
PHONE: 608-257-2622 FAX: 608-257-8386

TO: Members, Senate Committee on Education  
FROM: Dan Rossmiller, WASB Government Relations Director  
DATE: November 19, 2019  
RE: Testimony on SENATE BILL 527, 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.

Senate Bill 527 would make a number of changes to state statutes regarding the use of seclusion and physical restraint of pupils in schools.

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. That said, we believe a number of changes made by the bill will be beneficial to pupils and parents. For that reason, we certainly do not oppose Senate Bill 527.

Seclusion and restraint techniques are intended to be used to calm unruly or out of control pupils and 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 WASB was involved in the process of developing Senate Bill 527 and we appreciate being included in that process. Other groups representing K-12 education, including school district administrators and special education directors, as well as the Department of Public Instruction (DPI), were also involved in that process.

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. 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. 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 covered individuals 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. 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.

One concern that was shared by the WASB as well as school administrators during the process of developing this bill concerns where data on the use 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 to the requests without compromising student 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 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.

The 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.



## Testimony in Favor of SB 527

### Angela Wendling

My name is Angela Wendling. I'm the mother of 2 children, both of my sweet little boys are on the autism spectrum. I'm here to testify in support of SB527. The first time one of my children was subject to seclusion and restraint was when he was just 5 years old. He was only in 4K. One day in May of 2019 I picked my son up from school, he was very obviously upset and not his normal self. His teacher said he had a rough day but didn't say much more during that exchange. The next day I received an email from his special ed teacher. The email was vague and did not specifically say that my child was restrained nor specifically that he was put in seclusion. The email said that he was acting very silly, laughing, running around the classroom, and having difficulty following directions. I asked for clarification and asked if seclusion and restraints were used and the teacher responded yes. Seclusion and restraint were not at the time covered by his IEP and he did not have a BIP at the time. I requested an IEP meeting to discuss the incident and the school principal refused saying they didn't think it was necessary. I attempted to contact the district director of special education multiple times without any response.

Seclusion and restraints are most often used on children with special needs. Children with special needs are already at a greater risk of being exposed to toxic stress and trauma, yet they are the ones most likely to be exposed to the use of seclusion and restraints which is in and of its self often a traumatic experience. This is a population who is in desperate need of trauma informed care/education. Children often scream to be let go, scream to be let out or scream for their mom, like my child did. Let me be clear, my child who has a history of trauma was put through an unnecessary and unlawful seclusion and restraint because he was as his teacher said being "silly" laughing running around the room and had a difficult time following directions.

As a parent, I would like to know how common these incidents are and how common these failures are. I want to know how often the schools are doing this. How can we work to fix this problem if we can't follow the trends? As a society we can choose to do better but we need the information and tools.



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

November 19, 2019

**TESTIMONY IN FAVOR OF SB 527**  
**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 SB 527, 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 SB 527 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 527.





# Wisconsin Family Ties

## Testimony in support of SB-527, Improvements to the Restraint & Seclusion Law

Hugh Davis, Executive Director  
Wisconsin Family Ties

Senate Bill 527 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. SB-527 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 recognized as an effective tool to prevent future incidents of restraint and/or seclusion.

Finally, SB-527 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 and adopt better ways to meet the behavioral needs of these vulnerable students. The clarifying changes in SB-527 will help school staff, administrators, and educational stakeholders do just that.

Wisconsin Family Ties strongly supports SB-527, and urges its passage in this committee and the full Senate.

*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](http://www.wifamilyties.org)

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





Good morning and thank you for this opportunity to share our family's story. I'm Molly Immendorf and I am here to testify in support of SB 527. All of the bill's provisions are common-sense updates that I wish were in place while my son was a K12 student. My son William is now a Junior at UW-Madison studying Computer Science and he works part time at the UW-Madison Computer Science department. It's not been a smooth road for him but he has persevered and ultimately has overcome the trauma inflicted because of repeated seclusion and restraint used to "calm" him. The first time I found out about the seclusion room in his Madison elementary school was about a month after the start of kindergarten. William had an appointment and I came to his school to pick him up. I saw one of his classroom aides sitting on a chair next to a closed door. When I stopped to say hi, she said that William was inside! Imagine my surprise - they didn't point out that room on the "Welcome to School" tour! The room was essentially a closet with a fitness mattress on the floor. But don't take my word for it - here is how William described it in a school essay that he asked me to share with you:

"I was a sheltered and autistic kid that nobody, not the teachers, and certainly not the students, knew how to deal with. All too often, things would uncontrollably push me to the brink of uncontrolled anger. Sometimes it's unexpected and loud noises. Unexpected events in general also seriously stressed me, and sometimes the other kids would just simply attempt to taunt and push me into that wild, animalistic rage. And when that spilled over, I was always taken to the seclusion room.

The seclusion room - it was a tiny room. Nothing in it but blank walls, and a door that could not and would not open for what seems like eternity. Eternity that I had to spend with nothing that could comfort me, nothing that could soothe whatever anger I was in. And they... they all had to carry me through the whole school to the place where nobody should ever be sent to if they wanted to be soothed. All while being forced to fight the people carrying me there - all hopeless fights, but ones that kept happening, and ones that couldn't be prevented from happening. There's no comfort in the seclusion room - all you have is yourself in screaming anger and agony, until you are forced to give up the hopeless resistance against the seclusion room. It feels like torture - no, it was torture. No physical contact in the room, and nothing to cause you pain doesn't prevent an uncomfortable seclusion room

from being a place of torture. And, like any place where you are tortured, I had traumatic fear of even the presence of the seclusion room.

It was that fear of the seclusion room that led to a pivotal moment – a moment which proves the seclusion room tortures autistic children sent to its cold and unforgiving confines. It happened one day in third grade. I remember that, for a reason I cannot quite remember, that I was stressed, angered over something, teetering on the brink of the breaking point. Uncomfortable thoughts of them calling the people over the phone to take me to the seclusion room circled my head, and I didn't know what to do. But then, that person went to the phone – to me, it looked like they were going to call them over, when in fact it was for something completely unrelated. But the fear of the seclusion room grabbed hold of me – I couldn't stop myself... from hitting her in the back, in a vain hope to stop them from taking me to the seclusion room. When, in fact, doing that very thing took me to the seclusion room. The confusion, fear, and anger were all present in that time, and I really did feel, never again, that I will be in the seclusion room.

From that point on, everyone learned that the seclusion room is uncomfortable torture for me – and I would extend that to everyone autistic. Putting those kids in the seclusion room, even if they were forced to anger by stressors, is a sadistic act, intentional or not. Those kids need comfort in order to calm down – while they do calm down eventually in the seclusion room, it is torture for the kid in question. I still remember how I felt in the seclusion room, and I would like to keep others from ever being mentally tortured while inside.”

As a parent, it broke my heart to read William's essay. His father and I tried to work with his teachers and the schools to find alternative ways to help support him. However, we often found out about the incidents well after the fact and only when we asked. One night when he was in second grade, I was helping William get ready for bed when I noticed some odd bruises. When I asked about them, he shared, “That's where they held me down.” Alarmed, I contacted his

teacher and was told about the prone restraint used. If there was a report, it was never shown to me.

These are just a few of the multiple times that William was secluded and/or restrained in elementary and middle school. While ultimately, I believe that seclusion and restraint is harmful and shouldn't be used, I ask you to take this small step to make sure the use of seclusion and restraint is transparent and known to all. Perhaps with more sunlight on the use of seclusion and restraint, better ways to help support children in the classroom will ultimately come from it. Please vote "Yes!" for SB 527.

My contact information:  
Molly Immendorf  
360 W. Washington Ave, Unit 1107  
Madison, WI 53703  
608-320-0550  
[molly.immendorf@gmail.com](mailto:molly.immendorf@gmail.com)

William, age 5, first day of Kindergarten




William, age 22






# JOANNE JUHNKE

 (608) 320-6165

 joannethatsme@yahoo.com

 430 Oak Crest Ave.  
Madison, WI 53705

## Testimony in FAVOR of SB527

My name is Joanne Juhnke, and I'd like to thank Senator Olsen and this committee for hearing SB 527 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 thought 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 to **AVOID** restraint and seclusion, rather than feeling forced to plan that these aversive interventions **WILL** be used.

Under this bill, IEP teams will no longer be compelled to write restraint and seclusion into their student's plans. 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 SB 527 so it can finally be passed into law.



WISCONSIN BOARD FOR PEOPLE  
WITH DEVELOPMENTAL DISABILITIES

November 18, 2019

Senator Olsen  
Chair, Senate Committee on Education  
Wisconsin State Capitol, Rm 122S  
Madison, WI 53708

Dear Senator Olsen and Committee members:

The Wisconsin Board for People with Developmental Disabilities (BPDD) supports SB 527. 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<sup>[1]</sup>. 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.

SB 527 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

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<sup>[1]</sup> 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](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,

A handwritten signature in cursive script that reads "Beth Swedeen".

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





# School District of New Glarus

1701 Second Street  
New Glarus, WI 53574

District (608) 527-2410  
Fax (608) 527-5101

**To:** School Board

**Re:** Seclusion and Restraint Report for 2018-19 School year

**Date:** July 15, 2019

**Report completed by:** Jennifer Krantz- Director of Special Education

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## Elementary School

Number of Incidences 2018-19	Total number of students involved	Number of Students with Disabilities
Seclusion-0	0	0
Restraint -0	0	0

## Middle School

Number of Incidences 2018-19	Total number of students involved	Number of Students with Disabilities
Seclusion-0	0	0
Restraint -27	1	1

## High School

Number of Incidences 2018-19	Total number of students involved	Number of Students with Disabilities
Seclusion-0	0	0
Restraint -0	0	0

**Training Report:** The following staff members are all certified in Nonviolent Crisis Intervention which promotes prevention of escalating behaviors and safe techniques for physical restraint to be used as a last resort. Certifications are good for one year.





# School District of New Glarus

1701 Second Street  
New Glarus, WI 53574

District (608) 527-2410  
Fax (608) 527-5101

**To:** School Board

**Re:** Revised Seclusion and Restraint Report for 2018-19 School year

**Date:** August 5, 2019

**Report completed by:** Jennifer Krantz- Director of Special Education

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## Elementary School

Number of Incidences 2018-19	Total number of students involved	Number of Students with Disabilities
Seclusion-0	0	0
Restraint -0	0	0

## Middle School

Number of incidences 18-19	Total number of students involved	Number of Students with Disabilities
Seclusion-1	1	1
Restraint- 26	1	1

## High School

Number of Incidences 2018-19	Total number of students involved	Number of Students with Disabilities
Seclusion-0	0	0
Restraint -0	0	0

**Training Report:** The following staff members are all certified in Nonviolent Crisis Intervention which promotes prevention of escalating behaviors and safe techniques for physical restraint to be used as a last resort. Certifications are good for one year.



August 20, 2018

1. Mark Stateler
2. Nicole Ruegsegger
3. Julie Nimtz
4. Teri Dearth
5. Shelley Molencamp
6. Sam Weinbrenner
7. Heather Cassidy
8. Jenny Krantz
9. Laura Eicher
10. Christy Douty
11. Emily Tryba
12. Becky Deegan
13. Jody Gerner
14. Melissa Holland
15. Tracy Bristow
16. MaryKaye Dorn
17. Jennifer Wilde



## IDEA Complaint 19-053 Decision

From: Honaker, Sherri DPI (sherri.honaker@dpi.wi.gov)

To: josh.rabel@yahoo.com; jennifer.krantz@ngsd.k12.wi.us; jennifer.thayer@ngsd.k12.wi.us

Cc: Margaret.Resan@dpi.wi.gov; Anita.Castro@dpi.wi.gov; Alicia.Reinhard@dpi.wi.gov

Date: Friday, September 20, 2019, 10:15 AM CDT

Below is the text from the decision for IDEA complaint 19-053, which was issued today.  
Thanks!

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Sherri Honaker, Executive Staff Assistant

Division for Learning Support  
WI Dept. of Public Instruction  
Mail: PO Box 7841, Madison, WI 53707-7841

Ship: 125 S. Webster St., Madison, WI 53703

Phone: (608) 266-2697

Fax: (608) 267-3746

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On July 22, 2019, the Department of Public Instruction (department) received a complaint under state and federal special education law from Joshua Rabel (complainant) against the New Glarus School District (district). The department must issue a decision on such complaints within 60 days. This is the department's decision regarding the complaint. The issues, which are included in the complaint below, pertain to the 2018-19 school year.

***Whether the district improperly utilized physical restraint and/or seclusion with a student with a disability.***

A district may use seclusion and/or physical restraint at school only if a student's behavior presents a clear, present, and imminent risk to the physical safety of the student or others and is the least restrictive intervention feasible. Seclusion means the involuntary confinement of a student, apart from other students, in a room or area from which the student is physically prevented from leaving. The duration of seclusion may be only as long as necessary to resolve the clear, present, and imminent risk to the physical safety of the student or others. If seclusion is used, constant supervision of the student must be maintained, either by remaining in the room or area with the student or by observing the





student through a window that allows the district to see the student at all times. ( Wis. Stat. § 118.305[2][b]) The seclusion room must be free of objects or fixtures that may injure the student and no door connecting the seclusion room or area to other rooms or areas may be capable of being locked. (Wis. Stat. § 118.305[2][c] & [f])

Physical restraint means a restriction that immobilizes or reduces the ability of a student to freely move his or her torso, arms, legs, or head. If physical restraint is used, the degree of force and the duration of the physical restraint may not exceed the degree and duration that are reasonable and necessary to resolve the clear, present, and imminent risk to the physical safety of the student or others. School staff may not utilize physical restraint maneuvers that cause chest compression by placing pressure or weight on the pupil's chest, lungs, sternum, diaphragm, back, or abdomen or otherwise obstruct the student's circulation or breathing. (Wis. Stat. § 118.305[3]) Only district staff who have received proper training may use physical restraint on a student. (Wis. Stat. § 118.305[3]) Whenever seclusion or physical restraint is used at school, the school principal or designee must as soon as practicable, but no later than one business day after the incident, notify the student's parent of the incident and the availability of a written report of the incident. Each report must be made available for review by the student's parent within three business days of the incident. (Wis. Stat. § 118.305[4]) Whenever a student's individualized education program (IEP) team determines the use of seclusion or physical restraint may reasonably be anticipated for the student, appropriate positive interventions and supports and other strategies that address the behavior of concern must be included in the student's IEP. The interventions, supports, and other strategies must be based upon a functional behavioral assessment (FBA) of the behavior of concern, incorporate the use of the term "seclusion" or "physical restraint," and include positive behavioral supports. (Wis. Stat. § 115.787[2][i]) The first time seclusion or physical restraint is used on a student with a disability, the student's IEP team must convene as soon as possible after the incident and review the student's IEP to ensure that it contains appropriate positive behavioral interventions and supports and other strategies to address the behavior of concern and revise it if necessary. (Wis. Stat. § 118.305[5])

The use of seclusion and/or physical restraint was not incorporated in the student's IEP in effect at the beginning of the 2018-2019 school year. On September 26, 2018, the student who is the subject of this complaint entered a small resource room and slammed the door repeatedly. School staff intervened and held the door closed from outside the room so the student would not cause injury. After using strategies to help the student de-escalate for a short period of time, the student became agitated again and began slamming the door so that the staff held the door closed again to prevent injury. Staff maintained visual contact of the student at all times through a window in the door. The room was not free of objects, and the door was capable of being locked. A student incident report completed by district staff indicates the student was secluded in the small resource room for 30 minutes. This was the first time seclusion was used with the student. The student's parents were contacted by email and informed of the use of seclusion. Seclusion was used only as long as necessary to resolve the clear, present, and imminent risk to the physical safety of the student or others. The district did not reconvene the student's IEP team following this incident.



On October 17, the student was throwing rocks at staff when staff trained in nonviolent crisis intervention implemented a two-person restraint hold to escort the student away from the area of rocks. The restraint lasted approximately one minute. This was the first time physical restraint was used with the student. On October 19, the student eloped from the school building and ran into the road. A two-person escort was used whereby a trained staff person on either side of the student held the student's shoulder and wrist while walking back to the building. This escort lasted approximately two minutes. Following each incident, staff completed a student incident report and called the parents to inform them of the use of physical restraint. In both of these incidents, the physical restraint did not exceed the degree and duration that was reasonable and necessary to resolve a clear, present, and imminent risk to the physical safety of the student or others.

On October 22, the student's IEP team reconvened to review and revise the student's IEP. The IEP team reviewed data related to acts of physical aggression by the student toward staff and data on the student's attempts to elope from the school building. The IEP team conducted a functional behavioral assessment (FBA) based on the data and added the use of a behavior intervention plan (BIP) to the student's IEP to address the functions and triggers of the behavior. The BIP included positive interventions and supports, including visual schedules, social stories, additional time for processing, and praise. The behavior plan also included a plan for the student to go to the student's "own physical work space" when the student exhibits unexpected behaviors that could lead to unsafe aggression toward staff or running from the building, and "physical supports for hallway transitions (arm-in-arm)." The IEP team specified the use of seclusion and physical restraint when the student's behavior creates a risk to the physical safety of the student or others. The team agreed that for purposes of reporting, incidents when the student walked cooperatively arm-in-arm with school staff would not be considered physical restraint; however, if the student struggled to get away, the incident would be reported as physical restraint.

District staff used physical restraint with the student thirteen times in October and November following the October 22 IEP team meeting. Several incidents lasted 30 minutes or longer during which time physical restraint was used intermittently for 30 seconds at a time to keep the student in a safe position. Each prolonged block of time was described in a single Student Incident Report. The district viewed intermittent use of physical restraint over a prolonged period as a single incident for reporting purposes. Guidance on the department's website explains the number of incidents reported depends on what is reasonable under the circumstances; if a student is restrained because of an imminent safety risk, and upon release, immediately creates an unsafe situation requiring the hold to be reapplied, then this would be considered one incident. The duration of the incident would be from the time restraint was first used until it ends and it is no longer required for safety purposes (<https://dpi.wi.gov/sped/topics/seclusion-restraint/faq>). The district reasonably described these incidents of physical restraint in reports.

On November 2, 2018, the student was sitting in a chair at a table in the small resource room, which was designated as the student's separate physical work space as required by the IEP. The student attempted to leave the room periodically, and district staff prevented the student from leaving. On May 9, 2019, the student's behavior escalated, and the



student attempted to run from the large resource room. District staff unlocked the door to the nearby small resource room and moved the student into the room where the student began pushing items such as a rocking chair and garbage can at staff. Staff removed the items. The student then kicked, slapped, and spit at staff and tried to exit the room twice by opening the door; staff quickly closed the door each time. The district's student incident reports incorrectly do not identify the November 2 and May 9 incidents as seclusion.

During the incident on November 2 and again during the incident on May 9, the small resource room was improperly used for seclusion. District staff acknowledged there is a corner of the room that is not visible from the window in the door. The room included such items as a desk, chair, and garbage can, and had a door that was capable of being locked. During the complaint investigation, the district acknowledged it was difficult to distinguish when the small resource room was being used for discipline, instruction or for calming breaks given the nature of the student's disability-related needs. The district is no longer using this room for seclusion.

District staff utilized physical restraint with the student eleven times between February 8, 2019, and May 20, 2019. On February 8, 2019, staff used a two-person transport to move the student to the small resource room. The student laid on the floor lunging at staff, kicking, hitting and pinching. Staff attempted to restrain the student and additional staff were called to assist. The student continued aggressive behaviors towards staff while crawling on the floor. The incident report describes that a staff member placed the student on "belly with pressure on [the student's] shoulders and holds [the student's] arm out" so the student is no longer able to hit and kick staff. This lasted for approximately one minute. The student regained composure, but after five minutes, the student's behavior escalated and the student, while lying on the floor, kicked and hit staff. The student was restrained in the same manner for approximately one minute while lying on the floor. A similar incident of physical restraint occurred on April 10. In each of these three incidents, district staff used an inappropriate maneuver when applying physical restraint, because the student was restrained in a prone position, which could cause chest compression. Per the student's behavior plan, following each incident of restraint the student was directed to sit at a desk with head down for 30 seconds. Several student incident reports state, "two people needed for compliance and physical prompt to keep head down." During the complaint investigation, district staff explained this meant staff placed their hands on the student's shoulders while the student was seated at a desk to prevent the student from hitting and being physically aggressive towards staff or eloping from the building; no pressure was placed on the back of the student's head or neck. By requiring the student to sit at the desk with the student's head down in this manner and restraining the student to ensure the student complied, the district was restraining the student for a longer duration than was required to resolve the safety risk and created a situation which could escalate behavior.

On the day of each incident of seclusion or physical restraint, district staff completed a student incident report. The district contacted the parent by phone or email the day of the incident, but did not consistently notify the parent of the availability of a written report. The district believed the detailed emails sent to the parent were sufficient because they believed the emails contained the same information as the written report. However, a comparison of



the reports and emails conducted during the complaint investigation revealed the reports and emails did not always include the same information. The district erred when they only provided an email to the parent and did not notify the parent of the availability of the district's official written report of seclusion or physical restraint.

Within thirty days of this complaint decision, the district must submit a districtwide corrective action plan to the department for approval to ensure:

- The district properly identifies instances of seclusion;
- The first time seclusion or physical restraint is used on a student with a disability, the student's IEP team convenes as soon as possible after the incident and reviews the student's IEP to ensure that it contains appropriate positive behavioral interventions and supports and other strategies to address the behavior of concern and revise it if necessary;
- When a room is used for seclusion, the window in the door allows district staff to see the student at all times, the room is free of objects or fixtures that may injure the pupil, and no door connecting the room to other rooms or areas is capable of being locked;
- Physical restraint maneuvers do not include placing pressure or weight on a student's chest, lungs, sternum, diaphragm, back, or abdomen or otherwise obstruct the student's circulation or breathing;
- The duration of physical restraint does not exceed the time reasonable and necessary to resolve the clear, present, and imminent risk to the physical safety of the student or others; and
- No later than one business day after the incident, parents are notified of the availability of a written report of physical restraint or seclusion of the student.

Submit the plan to Anita Castro, Department of Public Instruction, 402 Graham Avenue, Eau Claire, WI, 54701.

***Whether the district properly followed special education disciplinary procedures.***

Under special education disciplinary requirements, when a student with a disability is removed from the student's current placement more than 10 cumulative school days during the course of a school year, the district must provide services to the extent necessary to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's individualized education program (IEP). If the district proposes to change the student's placement because of a violation of a code of student conduct, the school district must





conduct a manifestation determination within ten school days from the date of that decision. A disciplinary change of placement occurs when the student's removal is for more than ten consecutive school days or when a series of removals constitutes a pattern. If the IEP team makes the determination that the student's conduct was a manifestation of the child's disability, the IEP team must either conduct a functional behavioral assessment (FBA), unless one was conducted before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan (BIP) for the child; or if a BIP already has been developed, review and modify it, as necessary, to address the behavior. The IEP team must also return the student to the placement from which the student was removed, unless the parent and the IEP team agree to a change of placement, or unless the incident involves weapons, drugs, or serious bodily injury. (34 CFR § 300.530-300.536)

The district tracks attendance in a quarter of a day increments based on the number of minutes missed compared to the total minutes of instruction expected for a student. Between October 2018 and June 2019, the district documented the student was suspended out-of-school 19 times for at least a portion of the school day for violating the school's code of student conduct. When the days and portions of days are added together, the days of removals total fewer than ten school days during the 2018-19 school year. The parent believed the district should have tallied absences in a different manner. Whether using the parent's preferred method or the district's method, the total number of days was fewer than ten days. The district was not required to provide services during a period of removal or consider whether the series of removals constituted a pattern until after the 10th cumulative day of removal. Requirements related to manifestation determination, therefore, did not apply. The district properly followed special education disciplinary removals.

All noncompliance identified above must be corrected as soon as possible but in no case more than one year from the date of this decision. This concludes our review of this complaint. This decision is final for the IDEA State Complaint process. These issues may be addressed through other dispute resolutions, including mediation and due process hearings. For more information, visit the department's website at <http://dpi.wi.gov/sped/dispute-resolution> or contact the special education team at (608) 266-1781.



## IDEA Complaint Decision 19-020

From: Severson, Ethan P. DPI (ethan.severson@dpi.wi.gov)  
To: jennifer.krantz@ngsd.k12.wi.us; josh.rabel@yahoo.com  
Cc: Margaret.Resan@dpi.wi.gov; Danielle.Scott@dpi.wi.gov  
Date: Friday, June 14, 2019, 10:56 AM CDT

Following my signature, please find the text of the complaint decision which was placed in the outgoing US mail.

Ethan Severson  
Education Specialist  
Wisconsin Department of Public Instruction  
608-267-7904  
[ethan.severson@dpi.wi.gov](mailto:ethan.severson@dpi.wi.gov)

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On April 17, 2019, (form dated April 14, 2019), the Department of Public Instruction (department) received a complaint under state and federal special education law from Joshua Rabel (parent) against the New Glarus School District (district). This is the department's decision regarding that complaint. The issues are whether the district, during the 2018-19 school year,

- Properly implemented the individualized education program (IEP) of a student with a disability;
- Properly responded to a parent's request for consultation from an outside behavior therapist;
- Properly shortened the student's day; and
- Properly enabled a student with a disability to participate in extracurricular activities including field trips.

*Properly implemented the individualized education program (IEP) of a student with a disability.*

School districts must provide each student with a disability a free appropriate public education (FAPE) in the least restrictive environment. A school district meets its obligation to provide FAPE to each student with a disability, in part, by developing and implementing each student's IEP. If an IEP team determines a student's behavior impedes the student's learning or that of others, the IEP team must consider the use of positive behavioral interventions, supports, and other strategies to address that behavior (34 CFR §§§ 300.320, 300.323, 300.324).

The student in this case had demonstrated numerous instances or attempts of eloping since the start of the 2018-19 school year. The student's IEP identified that the student's behavior impeded her learning and that of others. In the fall of 2018, a functional behavioral assessment (FBA) was conducted, and at an October



IEP team meeting, a behavior intervention plan (BIP) was developed based on the FBA. Supports included visual prompts, a structured visual schedule, limited verbal directions, social stories, and a process for escorting the student during hallway transitions. The IEP also specified that an assistant would be with the student at all times, except for when the student was receiving therapy and direct service from a related service provider or a special education teacher. The IEP team subsequently met in December and January to review the IEP. In addition to these IEP team meetings, school staff often met weekly with parents to discuss the student's current level of functioning.

On March 29, 2019, the student was moving from one special education classroom to another, one door down. A staff member walked with the student into the hallway and watched the student calmly enter the classroom. The staff member was unaware the teacher of the classroom to which the student was entering was not present. The student subsequently left the classroom without supervision, left the school building, and went to the playground. The student was without supervision for approximately 20 minutes. The staff member acknowledged that she did not follow proper procedures and should have walked with the student the entire way. The student's IEP was not properly implemented on March 29, 2019.

*Properly responded to a parent's request for consultation from an outside behavior therapist.*

School districts must respond, in writing, within a reasonable amount of time after receiving a parent request to initiate or change the identification, evaluation, educational placement of the student, or the provision of free appropriate public education (FAPE). The written notification must include a response as to whether the request is granted, other options considered, and the basis for the decision (Wis. Stats. § 115.792).

On September 20, 2018, the parent emailed the district expressing a desire to have their child possibly work with a "psychologist or behavioral expert" in hopes of addressing the current behavioral concerns. On October 4, 2018, the district made arrangements for a staff person from a Cooperative Educational Service Agency (CESA) to come and observe the student; this individual also interviewed the parent to gather information regarding behaviors at home. She offered several recommendations as the result of her observations and interview with the parent.

In an attempt to continue to meet the student's behavioral needs, team meetings were held weekly. These meetings were not considered IEP team meetings and included school personnel, parents, grandparents, and at times members from outside agencies. At the November 28, 2018, meeting, the parent asked if it would be possible for them (the parents) to bring in outside people to observe the student. The district responded affirmatively and asked the parents to let the district know when it was scheduled, but since district staff did not believe additional consultation was required, district staff informed the parent that the district would not pay for the expense. The student's annual IEP meeting was held over two dates (April 18, 2019 and May 2, 2019). During the IEP team meeting, the parents requested to bring in a particular outside individual to work with the school to help address their child's behaviors. Although the IEP team did not appoint the particular individual selected by the parent, the IEP team added 15 hours of "observation/consultation" with staff from an outside therapeutic private school for the remainder of the 2018-19 school year. On April 29, 2019, via email communication to the district, the parents again requested the district bring in a behavior specialist. While the district either took action to bring in an outside individual, gave verbal permission for parents to bring in outside resources, and added "observation/consultation" to the student's IEP by staff from a private therapeutic day school, the district failed to consistently provide its responses in writing either agreeing to or declining parents' requests. The district did not properly respond to a parent's request for consultation from an outside behavior therapist.

*Properly followed procedures for shortening the day of a student with a disability.*

A student's IEP team may shorten the student's school day if the student's IEP team determines a shortened day is required to address the student's unique disability-related needs. Before deciding to shorten the



student's day, the IEP team must consider if there are other ways to meet the student's needs. When a student's school day is shortened, the student's IEP must include an explanation of why the student's disability-related needs require a shortened day, and a plan for the student's return to school for a full day, including a plan to meet more frequently to review student data, and determine whether the student is able to return to school full-time. Shortened school days may not be used to manage student behavior, and a school district may not require a student to "earn" back the return to a longer or full school day by demonstrating good behavior (34 CFR §§ 300.114-300.116; DPI Special Education Information Update Bulletin 14.03).

Currently the student's IEP states when the student is able to go five consecutive days without physical contact with intent toward others and can regulate herself within 30 minutes, the student's day will increase by 30 minutes. This is an example of the student being required to "earn" back the return to a longer school day. Similarly, the IEP did not contain a plan for the student's return to school for a full day nor did it include a plan to meet more frequently to review student data and determine whether the student is able to return to school full-time. The district did not properly shorten the student's day.

*Properly enabled a student with a disability to participate in extracurricular activities including field trips.*

Districts must take steps to afford students with disabilities an equal opportunity to participate in nonacademic and extracurricular services and activities. All IEP teams must determine whether each student needs supplementary aids and services to access noncurricular and extracurricular activities, describe those services with sufficient clarity, and ensure the services are provided as described in the student's IEP when the student participates in such activities.

The district sponsors a three-day camping trip in May for all students in this student's current grade. Information regarding the trip was sent home in the student's folder at the beginning of March. Parents do not recall receiving the information and thus were unaware of the field trip. Parents found out information about the field trip the night before it was scheduled to begin; thus, arrangements could not be made in time to allow for the student's participation. The student's IEP in effect at the time of this field trip is silent on any necessary supplementary aids and/or services needed for the student to participate in extracurricular activities. Upon interviewing staff, the district acknowledges it did not bring up the subject of the camping trip after the information packet was sent home. The district failed to properly enable a student with a disability to participate in extracurricular activities including field trips.

Within 20 days of this decision, the IEP team must reconvene to ensure the IEP includes a plan for the student's return to school for a full day, along with a plan to meet more frequently to review student data and determine whether the student is able to return to school full-time that is not dependent upon earning back time. The IEP team is also directed to ensure the IEP contains any supplementary aids and services necessary to allow the student to participate in nonacademic and extracurricular activities as well as procedures for escorting the student if necessary. Within ten days of the IEP team meeting, the district must provide the department a copy of the revised IEP.

In addition, within 30 days of the date of this decision, the district must submit to the department a corrective action plan to ensure the following:

- All IEPs are properly implemented;
- All IEPs developed include supplementary aids or services necessary, when necessary, for the student to participate in extracurricular and nonacademic activities;
- School days are not improperly shortened; and
- District staff properly respond in writing to parental requests.





All noncompliance identified above must be corrected as soon as possible, but in no case more than one year from the date of this decision. This concludes our review of this complaint. This decision is final for the IDEA State Complaint process. These issues may be addressed through other dispute resolution options, including mediation and due process hearings. For more information, visit the department's website at <https://dpi.wi.gov/sped/dispute-resolution> or contact the special education team at (608) 266-1781.



Student	School Year	Gr	Occurrence	Incident Behavior	Location	Response	Perceived Motivation
Rabel, Nora	2018-2019	6th	09/26/2018	Seclusion & Restraint - Seclusion	Office	Parent Contact	Other

Description: Nora came out from under the desk and ran out of the resource room. I redirected her to her desk, but Nora refused. She then ran to the safe room by the high school resource room. Once in the room Nora started to yell and slam the door multiple times. Ms. Wilde asked Mrs. Holland, high school special education teacher, to assist me for safety reasons. Nora continued to slam the door. Mrs. Holland was concerned for Nora's safety, specifically her fingers as she was repeatedly slamming the door. It was then that Mrs. Holland held the door closed putting Nora in seclusion for her safety. We were able to see Nora the entire time through the window in the door. While the door was held Nora yelled shut up multiple times, made spitting noises and wiggled the handle. Both Mrs. Holland and I told her unexpected. I offered a story on the iPad to Nora through the window and told her to sit. Nora sat calmly, and the door was opened. She sat for approx. 10 min. and listened to the story. The perceived motivation is control and wanting to be in charge.

Rabel, Nora	2018-2019	6th	10/17/2018	Seclusion & Restraint - Restraint	Other	Parent Contact	Other
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Description: Nora was throwing rocks that were part of the building landscape directly at staff while watching for their reaction. She threw at least 5 rocks prior to staff before staff could respond. The perceived motivation is control and wanting to be in charge.

Rabel, Nora	2018-2019	6th	10/19/2018	Seclusion & Restraint - Restraint	Other	In-School Suspe	Other
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Description: Nora independently requested a bathroom break, Mrs. Cassidy and Mrs. Krantz walked her down. She greeted another student the hall as they passed. After a about 5 minutes in the bathroom Mrs. Cassidy knocking on the door and said; Are you ready? Nora open door, stuck her tongue out at Mrs. Cassidy and closed the door again. Wait time was given and Nora came out. Mrs. Cassidy asked Nora "how do we walk in the halls?". Nora said "calm and safe", but then turned and ran to the vending machines. Mrs. Cassidy walk over, walk safe and calm to your office please. Spend 8 minutes redirecting her with the below strategies in the hallways. Short calm verbal directions., Physical proximity used, extended wait time in between requests, social story about office.

Rabel, Nora	2018-2019	6th	10/26/2018	Seclusion & Restraint - Restraint	Other	Time Out	Other
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Description: Nora October 23 Hugged Mrs. Deegan- needs to ask for hug Answered safe and calm, then walked fast and didn't want to hold arm (this was new, so this was not surprising). Nora appeared to know something was up. She kinda froze and became non-compliant. Pushed her schedule to the floor, but did not throw. Would not make eye contact with Heather. Laid on floor. Heather and Jenny lift and quickly walk her back to chair at desk. Head down. Pushed chair to calendar table. Restrained to get her there. She flopped to the floor a few times. Lifted Nora into seat and pushed chair to table. Once there Nora did calendar with Ms. Wilde just fine. Total episode - 2 minutes restraint 10 seconds each. Nora said "no" and "stop" a few times, but never hit or kicked. Nora followed all instruction and corrections during calendar time with Ms. Wilde. Please sit- followed directive- Jen Completed calendar and independent work after Good transition to Nora's office Good breaktime Snack time-good Transition to desk from break was struggle- made face/tongue out/laid on mat Was transported to desk for head down- 2 minutes- 2 people needed for compliance and physical prompt to keep head down. Nora would laugh at first then did get teary. Mrs. Cassidy quickly started reading. Nora did well. Earned M&M. Listen to music break- was rough start- rude to Mrs. Cassidy. Head down 2x and started break over. Nora asked Mrs. Cassidy to sit next to her during music break. Started a workbook then got sassy. Rough transition to workboxes- head down. Started workboxes again and she did great. Heather review each work box with her. Nora enjoyed the interaction. Reflection went well- Nora earned 3 smiley faces- 1 more till M&M. Break activities- 15 minutes of color/trace project. Reflection- nice job! Earned M&M Transitioned to reading- same Unique curriculum books as earlier. Nora often tried to distract and take control. Took two direction. "Smart thinker, hard worker" "I will read one more time". Took it slow and paused. Nora answered "What? "nice job! "Quickly went to next page and question. There have been no aggression. Every small noncompliance is being addressed and head down is taking two people to get Nora to listen to teachers with physical prompts. Nora is tired! Yawning and saying tired. It has been a constant morning of redirection.

Lunchtime Red hallway story- walked nicely to lunch Used bathroom- Heather and Jenny went in. Gave Nora two minutes. Notice that Nora got her period. Changed underwear and put on pad. Nora was silly. Heather use big firm voice to redirect. Held her shoulders and ask "do you understand me?" Nora said yes and finished up to go to lunch. Walked back to her office most of way well. Then started to get silly and lifting her feet. We were steps away from her office. She was then silly on mat and not listening to teacher. Sticking tongue out. Told unexpected.. yet did it again. Lifted to chair/desk for head down. Nora resisted and cried. When timer went off. Nicole said "look at me. Are you ready for break? Yes Nora was given permission to go to the mat. She took a 10 minute rest. Reflection time- Nora would not go to her desk. Needed to be physically lifted. I think attempted a kick. Head down. Cried when timer was up she did math for a few minutes nicely and earned smiley faces. Transitioned to PT and back nicely. Reflection sheet- earned M&M Transition back to math time at desk. 30 minutes of math work!! Reflection - earned M&M Transition to OT/Speech group Project break- 15 minutes worked nicely Reflection- earned all smiles! Nora is catching on fast to these rewards. Her body is much calmer this afternoon. She is very tired. Yawning. Social skills- 30 minute- start with group expectations - greeting and how people feel when you greet them Read 1st book which will be used for several activities for the unit. Nora was very engaged and able to answer questions about fellow of characters in book. Reflection- Good reflection- earned m&m End of day- Big smiles from Nora to Nicole. Ms. Wilde came with her backpack and jacket. Nicole and Ms. Wilde walked Nora to van. Nora left happy, but I am sure quite tired.. I bolded and underlined the times that we needed to use physical prompts or restraint to help Nora follow her schedule. There were times when she was more resistant, but overall her struggle was too see if we would give in. It has been good start to Nora's new plan!

Rabel, Nora	2018-2019	6th	10/26/2018	Seclusion & Restraint - Restraint	Other	Time Out	Other
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Description: October 24, Entered building nicely. Ind. managed locker. Entered room- nice Nora responded to H. greeting directions the first time. Reviewed schedule and completed reflection sheet- all smiles Nora read book independently at her desk waiting for Ms. W for calendar Transitioned to calendar easily with peer prompt. Sat tall with feet on floor Easily followed directions Completed follow-up independent activity, Checked schedule with H., Completed reflection -Earned M&M Heather read social stories with Nora- "Nora's Day", Walking In the Hall"- NORa was very engaged and read herself by repeating H. Transitioned to Office Read social story and walked arm and arm very calm Took 10 minute rest break- N. requested Moans music- told that her music break was her next break- she accepted this. Nora likes the lights out and weighted blanket for her quiet break. N. almost fell asleep during break- she was very relaxed which made it difficult for her to get up. H. was firm verbally and Nora responded. Completed reflection and earned M&Ms Added this reflection in because it was difficult yesteady from break to snack. N. picked her snack. said "thank you" Had snack and small bottle of water reflection-good Put head down on her lap and started whimpering as Heather was getting reading out. Seemed out of the blue She said something about not feeling well (not sure exact words.) H. redirected and read through "Nora's day" social story. Guided her head up and turned legs to work. Nora then read "Nora's Office" social story by herself. Nice job Nora! Started reading- Goose/landforms- did a lot of my turn /your turn. Nora was working on turn the pages independently. Identifying landforms. Had a brief silly moment-redirected verbally and directed to be safe. Nora responded. Another silly- redirected verbally nicely."no sillies" Fire alarm- rough!!! We did not expect it so we were not prepared. We went out the front doors and then came back in Unexpected behaviors- head butted H. as we came in. made noises and faces at staff. Once in office- directed head dwn. She did right away(growth from yesterday), with in seconds making noises/ hitting wall with hands, laughing. N. requested bathroom. several repetitions of head down w/physical prompts to get calm/safe to go to bathroom. walked fine down to hall to bathroom. In bathroom was silly and slow with taking care of business. Needed lots of firm directives with LOOK AT ME and DO YOU UNDERSTANDs. Nora kicked Jenny once. N. needed two people physical prompts to get out of bathroom. We took her to HS time out room because it was close for head down time. Needed constant firm physical guidance to get to the time out room. Nora flopped to floor. Jenny/Heather kept gripping under arm and wrist while moving as fast as we could. Nora needed several head down w/ physical assistance moments and hit H. in the face once. We ask Nora to do mediation once she had completed a successful head down. Nora was told hitting was not kind and that she should tell Mrs. C. Sorry. Nora said "sorry Mrs. C." right away. Her face showed she meant it. Nora was able to use a lot of eye contact at this time. She could say that her body was calm. We walked safely to her office. N. followed directions to sit at her desk. H. helped her complete a reflection sheet. All sad faces. Restarted reading- 10 minutes Completed reflection- all smiles! Nora updated/ reviewed her schedule. Music break- Brought rocking chair instead of mat since she got too relaxed (close to sleeping quickly on mat) Reflection- all smiles- 2 away from reward. When H. walked away Nora moved 2 smiley faces up. Told unexpected and directed to fix it. Nora did w/ verbal prompt and wait time. Reviewed schedule, started work boxes. Completed Ind.. Reviewed w/ H. Needed little redirect during workbook time. Important to catch all little



things -touching(almost poke). Leaning too close to person's face. Quickly respond to verbal "no thank you" Reflection- earned M&M Made face and silly sound- no thank you.responded to verbal Project break- Nora had independent color/ tracing time at desk.worked carefully. Used weighted blanket on lap. Reflection - all smiles What are you doing? Sassy Unexpected- redirected verbally Needs some replacement phrases Lunch- good- walked back to office- completed reflection sheet. All smiley faces.earned M&M Quiet break- needed a few verbal reminder to move and slight physical prompt. Nora moved to desk and completed reflection. Earned 1/2 smiley. Did not earn for listen to teacher since she needed physical prompt to get to desk. Nora handled well. Math- J. stayed just outside Nora's Office all afternoon. 30 minutes math Reflection- earned M&M Music break- rocking chair, lights out sang frozen. Social skills-good

Rabel, Nora	2018-2019	6th	10/29/2018	Seclusion & Restraint - Restraint	Other	Time Out	Other
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Description: Nora October 29, 2018 10:10 Music break Nora refused to go to desk to complete reflection and check her schedule. She was throwing her reflection and schedule, tore visuals off the wall and threw at staff. Laid on floor and kick at staff and connected a few times. Nicole and Jenny lifted Nora to chair at desk (which is the safety place to keep Nora from running out of room and to protect staff from her aggression.Nora's behavior was roller coaster, she would amp up for a few minutes struggling to get up and hit at staff, hit wall, scratch staff, kick staff, kick wall, spit, bite at us and then for a 1- minute lay her head down. Nicole's language was Nora needs to be calm and safe. If Nora asked a question she was told we would check when she was calm and safe. When Nora appeared to be potentially calm, Nicole would ask her Nora are you calm. Twice she said "no" clearly. Then the next time asked she said "yes" 11:00. Nora checked her schedule and did one workbook before speech. Other behaviors during this episode- chewing thumb, fingers way in back of mouth. Asked for Tommy & Logan. Never cried. Speech- Nora had a good session today. She was calm, worked hard, and listened well. I had to use "unexpected" 1 time during the session (she took some papers off my cabinet). After I said "unexpected" she put the papers back and re engaged in the activity we were working on. She appeared tired. She yawned 4 times in the 28 minutes she was with me. She transitioned well to the bathroom. Bathroom before lunch: Nora handled her bathroom business okay but after pulling up her pants she was shaking her butt at Mrs. O'Bel and Mrs. R. We gave her a couple unexpected prompts. Mrs. R had the reflection sheet in hand & showed it to her and said it was time to wash her hands. Nora was reminded with the visual of calm body and listen to teachers. Nora went to wash her hands but started making faces in the mirror again. We tried one verbal redirection but she continued. Mrs. R walked next to her and showed her the cues of calm body and listen to teacher. She was able to refocus and finish washing her hands. When she was done she had another silly moment and was bending over for something and ended up hitting her head on the counter. She did not cry, just laughed and said "ow". Lunch- Ella sat with Nora. While eating Nora was fine. After Ella left Nora started getting silly when she went to throw her tray away. She ran a long way around the commons to back to seat. Then laid on seat. This is typically a sign that she wants to run. Not sure of the trigger, but the silliness is a sign. 12:15 Jenny arrived at the lunch room and Heather was sitting by Nora. Heather started to say something about what was next/ Walking halls? (not sure events happened fast) . Nora bolted to the back of the commons.Heather yelled STOP Nora. Nora laughed and started down the hall toward the back hall. A HS teacher was in the hall and put his arm up. Nora saw this and stopped about 8 feet away from him and backed up. Heather and Jenny were coming down the hall she would have likely ran. Nora laid on floor. Jenny called for back up. School went on a lock and learn to get Nora back to her office without other students in the hall. Mr. Statler and Jenny lifted Nora and held her in a two person transport to get to her office. Nora was definitely going to run out the back door if she had gotten to it. Nora walked part way, drug her feet part way and hopped on one foot part way as we move as fast as we could to her office. Nora was seated at her desk. Heather and Jenny held her by our hand on her shoulders. Nora hit, spit, kicked, scratches, attempted to bite several times. Nora Asked if it is a growing tree day . Asked to call Logan. Heather repeated in calm voice "Nora needs to be safe and calm". That was the only verbal feedback given repeatedly with wait time.Nora chewed on her fingers a lot. Nora would sit calmly for 1 minute and then when asked if her body was calm, Nora did not answer and would try get out of chair and was aggressive toward staff repeatedly so we were not able to let go of her shoulders completely, but lighted as allowed. Nora was calmed enough to do a reflection with Heather. Nora was accurate on her reflection.(this is progress) Checked schedule . Nora took schedule and move over two tasks that she had not done. Heather moves them back. Redirect we need to listen to teachers. A few minutes the later Nora appears calm. Heather and I backed away and got out a work box. Nora was able to start it. Heather did it with her. 12:50 ended- started workboxes 1:05 Nicole and heather switched out Episode 1- 40 minutes full length. Restraint was intermittent 30 second of restraint at a time to keep in safe position. 2 person transport- 2 minutes Episode 2-30 minutes full length. Restraint was intermittent 30 second of restraint at a time to keep in safe position.

Rabel, Nora	2018-2019	6th	10/30/2018	Seclusion & Restraint - Restraint	Other	Time Out	Avoid Tasks/Activities
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Description: 9:35 back in office Grabbing and throwing items Spitting in staff face Assisted to chair, staff had hand with pressure on her shoulders to keep her in her chair , Struggles with banging wall, kicking feet, pinching staff hands, and shoving items on the table to the floor. (all were taken away) Sat for a few minutes Dimmer light and put weighted blanket over shoulders Asked if she was calm did not answer- staring straight ahead Wait 1 minute asked again - shrugged shoulders . Then started kicking wall and trying to bite staff Gave the prompt of "Calm and safe Nora" Sat quietly with Nicole's hands resting on shoulders Jenny stood behind Asked if she was calm. Nora shushed her This repeated a few times elbowed Jenny in leg a few times. Told we don't hit teachers. Waited a few more minutes Asked Are you calm. Nora -"Quiet mrs. r" Nicole and Jenny kept hands resting on Nora shoulders Nicole say quietly- nice job Nora. Nora hit the wall a few times with her hand She is pushing on her teeth with the base of her hand and chewing on her fingers a lot. 9:50 Sitting quietly chewing on hands. Nicole and Jenny standing directly behind her chair with no hands on Nora. 9:56 are you calm? Told mrs. r to "be quiet- poop" and head butted Nicole in the arm. Went back to chewing on thumb staring forward quietly. We all stayed quiet in room. 9:59 started kicking wall under table hard. "Unexpected, we are calm and safe at school". Nora stopped. Still chewing. 10:02 Nora turn toward Nicole. Nicole asked are you calm? Nora immediate responses no and turned back around after elbowing Nicole. Nicole and Jenny still standing behind chair but not touching Nora. She is sitting without needed physical support. All quiet in room. 10:05 Nicole started to ask- got Nora out of her mouth and Nora immediately said "quiet" Nora tried to stand - took verbal to sit with physical pressure. Tried to scratch staff hands that were now resting on her shoulders. Asked for Tommy and Logan. 10:10 Are you calm- yes Ok let's check your schedule Moved on to reading. Nora did a nice job reading. She was a little distracted at first. She was doing the activity and then would look forward and make a hand gesture or say something that wasn't understandable and then go back to working. Maybe an imaginary friend? - earned M&M's 1 episode of Physical restraint- 30 minutes in length total- 130 seconds of restraint intermittent to keep in safe position.

Rabel, Nora	2018-2019	6th	10/31/2018	Seclusion & Restraint - Restraint	Other	Time Out	Avoid Tasks/Activities
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Description: 1:00 Break- Nora chose to lay down with blanket and pillow. First 8 minutes were fine. Seemed to amp up a bit and then when timer went off refused to go to seat. Threw shoes at Heather/Nicole. Nora needed to be lifted to the chair. Nora demanded blanket from Heather. Heather told her she needed to ask. Nora was able to ask politely. Nicole stepped in for Heather. Mr. Statler and Nicole had hand on her shoulders with needed pressure. During the time that Nora was dis-regulated she poked Mrs. Statler and headbutted Nicole often. Banged table and ripped everything off the wall that she could reach. Nora was irritated that her skirt was starting to slip from wiggling in her chair. She wanted to pull it up. Nicole let her know that she needed to be calm to fix her skirt. Nicole asked are you calm and Nora said yes. Moved on with her tasked at 1:30. Episode lasted for 30 minutes- 30 second intermittent restraint needed to stay in safe position.

Rabel, Nora	2018-2019	6th	11/02/2018	Seclusion & Restraint - Restraint	Other	Loss of Privilege	Avoid Tasks/Activities
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Description: 9:45-10:10 Went to pick up Cheerio off floor and crawled under table. Visuals and verbal uses to make request . Snake was offered. Took shoes off one at a time and threw at teachers Nicole and Jenny lifted Nora to chair. Multiple hits to face and scratches to our hands to keep safe Eventually said she was calm. Was able to manage to check schedule and put so visuals back on the wall that she had torn off. Mrs. R went to get the snake from her locker.nora used it until next incident. Completed one workbook. 10:22 Finished one workbook and put feet up on chair, Asked to put feet down- kicked mrs r. Hit Mrs. R with snake ,Snake taken away Jenny arrived.Nora was sitting in chair N. And Jenny assisted her turning forward and held pressure on shoulders. Hit Jenny on face Held down by shoulders Nora stayed sitting so we let go of hands and torn all visual off wall and threw them at staff. She called Tommy Logan "help me at MS" When Nora would look behind at staff she would try and hit, scratch, pick her feet up in attempts to kick Nora trying to tear off the Velcro off the wall. We would not allow this. She got very agitated we did a CPI hold with arms crossed in front of her under armpits. Nora pulled from her wrists. She broke down and cried hard. Called for Tommy Logan repeatedly Has several more episode of trying to tear off Velcro Called mrs r "meaney" I think? 10:35 Lots of crying 10:50 still not calm 10:55 I have to run I have to run Tried to get up and lunged toward door Held in chair Said she was hot Took off glasses Sitting without our hand hands needing to be held down- Nroa was scratching, hitting, pushing Thoughts: Laughed only once- then appeared to not like having to sit, but the length of time to get calm is long In a long loop 11:00 Continues to resist in chair- arms not calm. Scratching, pushing staff away, hitting, elbowing Chewing on fingers,Bouncing foot Saw snake on chair behind her Nicole said "when calm" Pretend called Tommy Logan Asked for grandma 11:05 Sitting , chewing , bouncin foot We backed off 11: 07 Nora are you calm No response, but did not get agitated Twirled hair chewed on finger Took Nicole's hand roughly- "no thank you" Pushed away from table with feet. Was agitated. Chewed on fingers and sat with 2 continuing to be behind her. 11:11 missed speech at 10:45 today 11:13 Nora are you calm? Response "Sh" quiet back to chewing fingers, sitting with no hands



behind chair-2 staff "I'm hungry" Are you calm? Yes Let's check your schedule-workboxes Put feet up immediately Requested feet down- she did Laying on table Sit up we have work to do Making BLahh noise with tongue out and then spit at Nicole "That's not calm"-look workbook away Nora sat and chewed her fingers 11:17 Sitting staring off then suddenly-looked at Nicole turned an elbowed her hard in the stomach Nicole look arm and told her "we do not hit teachers". No response from Nora Nora sat chewing her fingers. 11:19 ask if it was growing tree day Our foot up on chair "foot down" We helped put foot down and adjusted chair to inhibit her to do this Sat chewing on fingers 11:24 sitting quietly chewing on fingers 11:28 "Are you calm?" Nora Said, "Quiet" said in demanding tone 11:31 sitting and laying head on desk Nicole and Jenny are still able to stand behind the chair. 11:34 Laying head down on desk sitting on chair Lunch on way Nora will be expected to finish workboxes and reflection on schedule prior to Lunch. Asked if calm. Hit table with fist, but otherwise did not move. Lunch arrived Nora did not seem to notice Nicole pointed to her schedule- workboxes, reflection then lunch, Nicole and I were both able to back away from Nora's table/chair area. 11:41 Nora remained at table, head down, staring off 11:44 nodding off 11:48 Showed her the schedule and that lunch was here (tray of hot food on shelf by door) Asked if calm gave Nicole a "SHh" sign Showed no interest in schedule or food yet Set schedule on table so that Nora could look if interested Turned her head toward the wall so could not see her eyes Very still and quiet 11:53 Nora looked at schedule Sat up Told mrs r she was calm Immediately put her foot up on chair Verbally requested to put down Nora did not say anything but did not comply for at least 2 minutes Nora eyed up her lunch that was on the shelf Once she complied with feet down from verbal prompt Nicole gave her her workbook to complete 11:55- ate lunch 2 hour episode- 30 second intermittent restraint used to keep Nora in safe position.

Rabel, Nora	2018-2019	6th	11/02/2018	Seclusion & Restraint - Restraint	Other	Out School Susp	Avoid Tasks/Activities
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Description: 1:05 Poking Heather in face Heather backed away and Nora sought her out to poke her in the face Went back to desk- feet on top of table 1:10 Started throwing items at teachers Held in seat Lots of head butting Scratching Poking Laughing a lot Nora would say she would put her hands down - confirmed with a "ok" with eye contact. Lasted only 2-3 seconds then hands up toward staffs face. Jenny called parents at 1:23 given the amount of unsafe behavior that was happening and no end in sight. Two person transport to MS office Less than one minute to MS office time out room 1:30 Yelling and banging on door Mrs r open door (Door was not locked nor does it have the capability to lock) Pounding on wall/door/ crying "Tommy Logan" 1:35 Big sobs 1:45 Knocking on door "Tommy Logan help me MS" 1:50 quiet on floor Jenny peeked in to make sure Nora was safe Nora saw Jenny Then started asking for Tommy/Logan 2:00 Mom arrived Nora clearly upset/sad asking for Tommy Logan Mom took Nora's work home (Math/ workboxes) to complete her work.

Rabel, Nora	2018-2019	6th	11/02/2018	Major - PHYSICAL AGGRESSION	Other	Out School Susp	No Motivation Assigned
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Description: Continual grabbing, throwing items, and slapping/hitting/kicking at staff despite redirects.

Rabel, Nora	2018-2019	6th	11/05/2018	Seclusion & Restraint - Restraint	Other	In-School Suspe	Avoid Tasks/Activities
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Description: 12:56 Finished biking in resource room. Sat on floor (to put boots on) Hit boot loudly against bike several times Firmly redirected to put boots on. Sat on floor refused to get up. Lifted to walk to office. Drug feet once on the way to office. 1:01 in office Scratching, spitting, tearing items off the wall Hit wall hard several times Looked at staff a - "Hello" then laughed Poking nicole "Bebebe" "Hands to self" Underarm hold -15 seconds Are you calm. Yes Let arms go Hit wall hard several times Pretend called Tommy /Logan "what are you do?" Several other things not understood. Rubbed hands together frantically and continues to talk into bracelet 1:07-Nicole asked if she was calm. "Shh" Nora playing with hair Continue to talk gibberish into phone very quietly Nora has been able to sit by herself since 1:09 Still talking into her bracelet. 1:12 Nora are you calm- yes Let's check your schedule- Nora said "reflection sheet" Earned 1 smile for biking Reviewed the 3 expectations Started making faces and poking Nicole. Needed physical help to stay in seat. 1:20 are you calm. "No" Nicole stood behind. Nora chewed on fingers. Started poking Nicole and laughing. We decided the only environment in which Nora has not needed restraint or seclusion been the ms office. Nora was walked to the MS office by Nicole and Jenny. She drug her feet 5-6 feet, hopped on one foot a few times and hopped on both feet once while we continued to walks holding under her armpits and by the wrist. Once at the office, Nora pulled away aggressively and complied with going into the timeout room. The door was closed by Jenny. Nora yelled demands that were not understood. Nicole or assigned staff member will stay in office area to supervise. If calm she will be expected to do work tasks in there. 1:47 Nora continues to yell and bang in the MS time out room- She is yelling for Tommy/Logan. 2:20 Nora has been quiet in the time out room. Mrs. R checks on Nora. Nora is laying on the floor. She is asked if she is calm. Nora responds with "Is it a Growing Tree Day?" Mrs. R does not answer but repeats question. Nora says "yes". Mrs. R tells Nora it is time to work, please sit at the table. Nora follows directions and is working on a worksheet. She completed 1 worksheet and 2 workboxes. Did reflection. 3 smiley faces and M&Ms.

Rabel, Nora	2018-2019	6th	11/05/2018	Major - PHYSICAL AGGRESSION	Other	In-School Suspe	No Motivation Assigned
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Description: Continual grabbing, throwing items, and slapping/hitting/kicking at staff despite redirects.

Rabel, Nora	2018-2019	6th	11/08/2018	Seclusion & Restraint - Restraint	Other	Time Out	Avoid Tasks/Activities
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Description: Transitioned well to exercise bike. Rode bike for 15-20 minutes. (Another student came in room for break. He was upset...she handled situation well. Student left after 5 minutes). Nora started getting silly on bike with faces and noises. Told her time was up and she needed to put her shoes on. Took a minute, put her shoes on while being silly, wouldn't get off floor. Started towards door then went to floor. Mr. Stateler was called he came and gave her the directive "Nora, your desk or the office" She did not choose. Mr. Stateler and Mrs. C escorted Nora to office. She was calm and safe. She went to refocus room and sat in chair. Mrs. Cassidy told to sit there calmly for a couple of minutes while she went to get reflection sheet and Nora's stuff. Did reflection. 1 smiley (work) 2 frown faces.

Rabel, Nora	2018-2019	6th	11/08/2018	Seclusion & Restraint - Restraint	Other	Time Out	Avoid Tasks/Activities
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Description: 10:05 workboxes.. Nora was being silly with faces, noises and her snake. Asked to be calm and do work or no snake. Calmed for a bit then amped. Took snake, spitting and kicked Mrs. Cassidy. Mrs. Krantz was called. Threw tennis ball from bottom of chair. Got out of seat went to rocking chair. Mrs. Krantz arrived. Tried to escort Nora to her chair. Mr. Stateler was called. Nora was under table. Left her under table as she was not a risk to self or staff. 10:10 Mrs. Krantz left. Nora was kicking wall, hitting her head against wall for a bit. She threw tennis ball and then started banging the table. Table was moved to other side of room. Nora was given her pillow and weighted blanket. She was calm for a bit. Started crawling on ground. Mr. Stateler and Mrs. Cassidy helped Nora to lifted chair (2 second restraint)and moved the table back. Sat at table needed physical redirection with Mr. Stateler and Mrs. Cassidy's hands on her shoulders for 3-5 minutes. Nora has pillow under her head, weighted blanket on shoulders, lights low white noise(fan) on. When asked Nora was able to say she was not calm. Nora was able to maintain at table and we did not ask anymore if she was calm About 15-20 minutes later Nora sat up, looked at Mrs. Cassidy "How are you? Mrs. Cassidy "I'm fine, How are you?" Nora "fine" Mrs. Cassidy Are you calm? Nora " Yes"

Rabel, Nora	2018-2019	6th	11/09/2018	Seclusion & Restraint - Restraint	Other	Time Out	Avoid Tasks/Activities
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Description: Mrs. R went to the speech room to get Nora. The next items on her schedule were bathroom & lunch. Nora had a pillow in her hand moving the colors back and forth. The reflection sheet was on the table. Mrs. O'Bel told her it was time to finish up with the pillow and do her reflection sheet. Nora gave the pillow to Mrs. O'Bel & completed the reflection sheet - 1 happy face (doing work) & 2 sad faces (calm body & listen to teacher). After reflection Nora started to get silly. Mrs. R & Mrs. O'Bel both showed her the calm body cards. Nora grabbed an ipad in the room, Mrs. R took it away. Then she started banging on the table, & trying to crawl underneath. She took a sharpie that was on the table and started to draw on the table and other items she could find. The sharpie was taken away. Mr. Stateler was called. Mrs. O'Bel gave Nora the pillow back to use for calming. Nora used it for a bit and then threw the pillow at Mrs. O'Bel. She was then grabbing any items she could reach. Mr. Stateler arrived. Mrs. R & Mr. Stateler used the 2 person transport to get Nora back to her office.

Rabel, Nora	2018-2019	6th	11/14/2018	Seclusion & Restraint - Restraint	Other	Out School Susp	Avoid Tasks/Activities
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Description: Transition backed to office fine. Sat at her table and we did her reflections from lunch, M&Ms. Time for math. Nora said she was sick. I told her that I would let Mrs. Zimmerman know and she will come and check on her in a bit. She then said sick and silly and started with silly faces and tongue out, spitting. Told unexpected. Ask her math or yoga. She chose yoga. Did a nice job. Went through the poses. Told it was now time for math. Wouldn't go to table at first. Then she went to table and was still not calm. Giggling, faces, and spitting. Told to sit with legs under table. Tried to kick then grabbed at my arm. Mrs. Krantz was called. Escalated quickly. 12:30 Jenny arrived and Nora was under table. Directly hitting, scratching, throwing balls off chairs at Heather Slamming table into wall. Broke through drywall. Table was getting more dangerous. Heather/Jenny restrained her to the table/chair. She stayed for maybe a 30 seconds with weights blanket and pillow for her head. She quickly escalated again to the point that Heather and Jenny were not strong enough to restrain her. Our next strategy was to get furniture out of the room. She went under table and started banging and kicking/hitting/ spitting/making noises at both Heather and Jenny. Nora moved to the rocking chair and started rocking hard and banging against the wall. Heather removed the table from the room at this time. Nora then moved to to the floor where the table had been and Heather quickly removed the rocking chair. Mr. Stateler had arrived. Nora was coming after staff and wrapping herself around Stateler's leg. He verbally and physically told her "no thank you" and removed her from his leg and backed away. Nora's continued aggressively toward Mr. Stateler and wrapped her arms and legs around his leg and laughing. Mr. Stateler tried to redirect with "if you want a hug stand up". At this time it was decided that Nora would need to go home for the day. Nora didn't seem to comprehend this the question about a hug at this time. Mr. Stateler ungripped Nora's hand once more and quickly moved to the other side of the room behind Jenny. Nora went after Mr. Stateler and she grabbed Jenny's leg instead. Jenny ungripped Nora's hand and then she backed off to the back of the room. All this time she was on the floor. She ended up laying on her belly making faces. Christy put the weights blanket on and gave pillows Nora. On floor belly/side/knees under her for about 20 minutes. Her body still had lots of movement(feet tapping, wiggles and grunts). 1:20 rolling around on floor. Not making faces or trying to get staff attention at all. Body is still agitated. Left with dad approximately 1:30. She did not want to comply with leaving at first. Christy and Dad walked her arm and arm out.

Rabel, Nora	2018-2019	6th	11/14/2018	Major - PHYSICAL AGGRESSION	Other	Out School Susp	No Motivation Assigned
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Description: Continual grabbing, throwing items, and slapping/hitting/kicking at staff despite redirects.

Rabel, Nora	2018-2019	6th	11/27/2018	Seclusion & Restraint - Restraint	Classroom	Other	Avoid Tasks/Activities
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Description: Peer time in large resource room- played well Antecedent- Picking up play doh in large resource room-made few noises while picking up told "unexpected" shown visual Nora proceeded to around room and sat on couch. Her body was not calm. Moved quickly to office - two person transport Heather/ Nicole 3:00 Jenny was called. As Jenny enter Nora was under table with a pencil in her hand. Heather was seated in a chair a few feet away. Nora lunges and Stabbed Heather with pencil Kicking staff Grabbing onto staff leg Staff started to Removed furniture table, chairs, for safety Nora went after shelf with items on - it was removed Nora physically moved to back of room by Heather/Nicole Two person sit - picture 3 minutes Nora-" let go, stop,let go Staff "be calm" What day is today? Who's birthday? Mrs r What did we have Cupcakes Can we sing Yes Started- then told staff to stop Talked about the cupcakes that they had Not Spitting in staff face "Let go" When your calm Calming hand count strategy Nicole modeled this twice Nora struggled the entire time 3:13 Called Josh- requested he come get her. That maybe not going to grandma would make a consequence that would be immediate. Josh wanted us to continue to try and de-escalate her. Josh was told that we would not be putting Nora on the van if she was not calm. Nora seemed a little calmer Staff allowed Nora to get up- Nora threw shoes at Heather Doing cart wheels, then started going after staff Staff was able to get her seated with two person seated hold. 2 minutes Lots of spitting at staff Staff let her get up She did more cart wheels, tom items off wall, came at staff- kicking them Told "we do not kick staff" Staff stayed clear You do not hit/ kick teachers. Sit down. Mom and dad are not going to be happy. Read social story that was on wall. Nora went after staff- kicking, pulling on them 3:22 Called Josh and let him know that the van was leaving and Nora was not calm enough to go. Nora needed to be picked up. Sit hold - 2 minutes Nora struggled-"let go of me" "When your calm" More spitting Read social story while in hold Is it safe right now? Nora said no Verbal firm "stop" Nora" let go "First stop then I let go" 2 minute hold- Nora got up moved to opposite corner Nicole demonstrated a yoga move Nora went over to Nicole and hit her in the back of head with an open hand Nicole showed visual Nora swung at Heather Jenny went in room- we all decided to not make eye contact and not talk Nora hit heather Heather stepped out of room Then Nora hit nicole on leg Went to file cabinet and grabbed anything possible to throw. Open cabinet to Picked up garbage can, back away and threw it at Nicole across the room. Staf continued to take the last papers and books out of room. Nora torn taped on daily schedule off he file cabinet and spend so time ripping it up. Staff stood by the door witch it open. Nora do you want to swing- yes You need to sit down and be calm. She sat down. Stupid ....poop... Tore some papers Hit Jenny with sock Hitting Mrs. Krantz is not calm Hit Heather with sock "Nora do you want your snake. Sit back down Nora was given her snake Lots of verbal talk: Leave me alone mrs r stop it that is mean Tommy Logan Let's go Singing Dad arrived 3:48

Rabel, Nora	2018-2019	6th	02/08/2019	Seclusion & Restraint - Restraint	Classroom	Out School Susp	Avoid Tasks/Activities
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Description: 10:05 - Nora is working on Math w/ Mrs. Falsey. She pulls her left hearing aid out and then takes off glasses. She goes under her desk. Nora does not listen to Mrs. Falsey, keeps telling her to "shut up". Mrs. Falsey sends another student to get Mrs. Cassidy & Mrs. R who are in a meeting. Mrs. C & Mrs. R try to get Nora out from under the desk with the choice of sit in her chair or go to her office. Wait time is given. Nora responds with "shut-up". Wait time is given. Choices offered again. Nora starts baning her head on the desk. Decision is made for Mrs. R & Mrs. C to use the two person transport & take Nora to her office. (Other students are testing in the room.) 10:10 - Nora refuses to walk in the hallway several times. The verbal cue "Nora needs to walk" is given. Get to the office & Nora sits on the chair at the table. She immediately starts reading the items on the walls. The wants/needs visual is shown to Nora. Nora ID'd I feel tired, I want headphones. Nora was given headphones. Pillow & Blanket were also given to Nora. Teachers asked her to lay her head down while Mrs. R went to go get her glasses. 10:20 - Nora appears to be calm. Teachers tell Nora it is time to check her schedule. She sits up and acknowledges that Math is on her schedule. Teachers visual&verbal calm body. Nora completes her math work with Mrs. R. Mrs Cassidy leaves after Nora has completed a few problems and is demonstrating calm body. 10:40 - Math is done. Nora walks back to the classroom with Mrs. R. Nora apologizes to Mrs. Falsey (foreshadowed this in office before leaving) and then goes to her desk to work on next schedule task, project time. 12:00 - Nora walks back from lunch w/ Mrs. Falsey. Refuses to enter the classroom. Drops to the floor. Mrs. R comes out to assist. Nora is laying in the middle of the hallway, refusing to get up. Visual of unexpected is given. Nora makes noises/faces & kicks at Mrs. R. Mrs. Cassidy comes out & helps Mrs. R w/ the 2 person transport to Nora's desk. When Nora is at her desk the wants/needs is given to her. She ID's that she feels calm. Mrs. R prompts her to try again. Nora ID's that she feels ready. The expectations of calm body, do work, listen to teacher are reviewed & then we get out Nora's schedule. The next task is workboxes. Nora gets her clipboard for workboxes, reviews the numbers, and then puts it back on her desk. She puts her face in her hands and refuses to continue. Mrs. R asks her if she needs help. Nora says yes. Nora walks arm & arm with Mrs. R to the closet to get her first workbook & returned to her desk to work. Nora worked for a bit but then went under her desk, making noises/faces/banging head. Mrs Cassidy tells Nora unexpected & that she needs to sit in her seat. Nora refuses. Wait time is given. Directions are given again. Nora makes noises/faces. Mrs. R & Mrs. Cassidy determine it is time to use the two person transport to take Nora to her office. Nora refuses to walk & uses dead weight to get to the floor. Mrs R & Mrs. Cassidy determine they can not safely use the two person transport at that time. The room is cleared of other students. Nora gets up & starts to moving around the room. Mrs. R & Mrs. Cassidy take the opportunity of Nora being back on her feet to use two person transport to take Nora to her office. 12:10 - At Nora's office. Nora is laying on the ground. Lunging at staff, kicking, hitting and pinching. Mr. Stateler & Mrs. Krantz are contacted for assistance because staff are not able to calm Nora. She starts trying to get into the file cabinet in the room. Mrs R says "no thank you" and moves Nora's hands out of the way to close the drawer. Nora grabs the garbage & tosses it at teachers. Mrs R uses a modified arms crossed, tucked under armpits restraint with Nora because she is hitting/pinching staff. Mrs. Cassidy removes furniture from the room. Mrs. Krantz is gone today, Mr Stateler responds. 12:17 - Mr. Stateler arrives, Nora is still on the ground not calm. Mrs R & Mrs C are trying to keep their distance but Nora will lunge at them & kick/hit. Nora has made contact several times with staff. Mrs. R & Mrs C use a modified seated position to keep Nora from hitting/kicking staff. Nora spits at teachers. When Nora stops going for staff teachers drop their arms & move away. 12:22 - Mr. Stateler contacts the office for a parent to pick-up Nora. Unable to get Nora calm/safe and she has made repeated physical contact with staff. He counted 10 times since he had been in the room. 12:30 - Teachers use modified seated position again because Nora is hitting/kicking Mrs. R & Mrs C. Mrs. R tries to get Nora to refocus her attention by asking questions like what color is my watch, what color is your watch, etc. Nora starts to focus on the questions and responds appropriately. She seems to calm. Teachers release arms with Nora. Shortly after Nora hits Mrs. Cassidy again. Mrs. Cassidy moves away from Nora. Mr. Stateler addresses Nora about her behavior & hitting staff. Nora hits Mr. Stateler. Mr. Statler places Nora on her belly with pressure on her shoulders & holds her arm out so she is not longer able to hit/kick staff. Mrs R holds Nora's other hand. Nora struggles a bit but then lays still asking Mr. Statler to let go. She is in this position approx a minute. Mrs C gets the weighted blanket and puts in on Nora. Mr. Stateler lets Nora up but tells her she cannot hit/kick staff or he will do it again. 12:35 - Nora is sitting against the wall jabbering to herself with blanket across her lap. She tries to put the blanket on Mrs. C's head. Mrs. C responds with a "no thank you". She starts reading her social stories on the walls. Starts to amp up when she gets to Nora's Day when it talks about good choices. She begins to yell at Mrs. C & Mrs. R telling them to go to their room. Mrs. R tries to distract Nora and read



her sight words on the wall instead of yell at staff. Nora kicks/hits staff again. Mr. Stateler restrains Nora again. She is laying on her belly. He has pressure on her shoulders and holding one hand out. Mrs. R holds the other hand. Mrs. C puts the weighted blanket across Nora's back. Nora starts yelling for Tommy/Logan. She is in the restraint approx 1 min. until she is calmer 12:40 - Nora appears to be talking to an imaginary friend although staff can not make out her words. 12:45 - Nora is laying on the ground. Mrs. C is sitting by her. She has the weighted blanket over her. Mrs. C gently rubbing Nora's back. Mrs. R steps out to get Nora's coat/backpack 12:50 - Nora is still laying on the ground. Mrs. R returns. Mrs. C is now using pressure points on Nora's hands to help calm her. When Mrs Cassidy steps Nora lays for a bit and then start pinching Mrs. C's leg. She tells Nora "No thank you" and moves Nora's hand away from her leg. Mrs. C asks Nora if she wants her to do the pressure points again. Nora replies yes. When Mrs. C stops Nora pinches her leg again. Mrs. C moves Nora's hands away & talks to her about nice touches/mean touches. 1:00 - Dad arrives to pick up Nora. Nora is still laying on the ground. She does not listen

Rabel, Nora	2018-2019	6th	03/27/2019	Major - PHYSICAL AGGRESSION	Classroom	Out School Susp	No Motivation Assigned
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Description: Continued grabbing, slapping, hitting, kicking, and biting after throwing items (i.e. shoes, books, etc.) at staff.

Rabel, Nora	2018-2019	6th	03/27/2019	Seclusion & Restraint - Restraint	Classroom	Out School Susp	Avoid Tasks/Activities
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Description: "Other information to note: 9:50 Nora acted up in classroom after bike. Throwing communication boards making noise hitting towards Mrs C. Ms Wilde and Mrs Cassidy assisted Nora to her office 9:53. "Get out of my room." Banging rocking chair against wall. Throwing blankets at Mrs Cassidy. Throwing communication boards came at Mrs Cassidy with mouth open. Scratched Mrs Cassidy's foot. Ms. W took chairs out of office. Showing Nora communication boards. Throwing communication boards at Mrs Cassidy and Ms Wilde cartwheels in office "Not sad." Making sounds. Giggling, grabbed Mrs Cassidy's feet. Opened door. Grabbing at Mrs Cassidy Did the crab walk 10:02 called for admin. Dr. Eich responded Nora went to corner of room. Took Schedule apart. "No lunch No reflection" threw at Mrs Cassidy. Handed Nora communication boards. Threw at Ms Wilde crawled under table. Making sounds grabbed chair struggle slammed table. Scratched Mrs Cassidy hands. Crawled on table Threw shoes at Ms Wilde hit Mrs Cassidy with shoe taking stuff off of wall throwing. Playing with hair. "You need calm body." (Mrs. Cassidy) "No" (Nora) throwing communication board. Mrs Cassidy has vest. Kicking at Mrs Cassidy. Doesn't want vest. 10:10. Went to floor throwing posters. Crawled back on table. Yelling stop it. Came at Mrs Cassidy. Light off. Doing cartwheels. "You look upset". (Mrs. Cassidy) Yelling no. Shows Nora I feel tell me what you feel. Nora throws board. Grabbed table banging against wall. Hissing yelling grabs feeling poster by file cabinet. Looking at poster. 10:15 threw garbage can. Grabbed sanitizer bottle. Mrs Cassidy and Ms Wilde tried to hold Nora to calm down Would not relax. Crawled on table 10:17 has weighted blanket. Wrapped on her. Turned light down. 10:19 banging head on wall. Gave Nora pillow. 10:20 Calm music 10:22 banging head on wall Mrs Cassidy sat by Nora on the floor rubbed her leg 10:26 Asked where Mrs R is then Shhh Mrs Cassidy when Mrs Cassidy answered. 10:27 Nora asked Mrs Cassidy for a kiss Nora fixed her weighted blanket. 10:27 Asked for another blanket. Does not want rocking chair. Laid on floor 10:37 making faces. Does not want to see schedule. Making sounds. 10:40 yawning Asking about Mrs R Nora said I feel tired on communication board. 10:43 Saying Ok repeating. Coming at Mrs Cassidy with face. Biting her hand (Nora's) tried to bite Mrs Cassidy Sticking tongue out. Asking to go to the library. 10:46 "You look ready" (Mrs. Cassidy) Nora said "Dont know" playing with her ears. Licked the wall. Playing with hair. Threw pillow at Mrs Cassidy. Glasses came off. Mrs. Cassidy took them. 10:48 Grabbed plug on wall for radio. Grabbed Ms Wilde's foot. Mrs Cassidy put blankets on Nora. Laying by file cabinet. Head on pillow. Rubbing Nora's back. Knocking on door grabbed at radio plug. Put pillow on Mrs Cassidy's head 10:51 Grabbed vest tried to put it on. Threw at Mrs Cassidy. Physically hitting Mrs Cassidy in legs hit Ms Wilde in legs 10:53 Admin called. Grabbed table hitting against wall. Throwing board ripping pictures off of wall. Mr. Stateler responded 10:55 Mrs Cassidy put weighted blanket on Nora threw blanket off. Throw at Mr. Stateler Threw pillow 10:57 under table hit Mrs Cassidy. Grabbed Mr Stateler feet. Grabbed poster off wall. Ripped it 10:58 Dad was called "stop it" (Nora) Hit Mrs Cassidy 10:59 Statedler and Ms Wilde assisted in restraint. 11:00 let go of restraint Mrs. Cassidy wrapped Nora in weighted blanket. Has both blankets and pillow. 11:03 laying on floor Hey you giggling. touching Mrs Cassidy hitting wall with hands. 11:04 dad VM office calling mom. 11:05 kicked off blankets. Clawed at Mrs Cassidy pressure points applied 11:07 making faces with hands told calm body. Barking. 11:09 Dad on way 11:10 making noises. Told to have calm body (Mrs. Cassidy) 11:11 making noises shown calm body. Threw pillow crawled under table. Grabbed book out of cabinet looked at it threw at Mr Statedler Hit Ms Wilde in leg 11:15 Mrs Cassidy and Mr Statedler restraint 11:16 - Let go of restraint 11:18 Nora opened door. Nora Took off shirt too hot Crawled on table "what to do" Sat on floor in front of table banging against wall. Crawling around floor towards people. Went towards door. 11:21 Has blankets. Asked for 2. Asked for pillow laying on floor belly down. "Don't hurt me. Hurt my hand". 11:24 "You mad" "You ok" talking to Mrs Cassidy Said sorry to Mrs Cassidy Mr Statedler and Ms Wilde resting on floor 11:26 pulling on hair tie 11:29 Mrs Cassidy "I'm hungry". Asked for glasses. Becoming goofy. Putting shirt on. Having snack at table. 11:35 Dad arrived "

Rabel, Nora	2018-2019	6th	04/10/2019	Seclusion & Restraint - Restraint	Classroom	Parent Contact	Avoid Tasks/Activities
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Description: Nora is putting her snack away. When at her cupboard she begins swinging the door and then moves to the floor. Mrs. R & Ms Wilde try to redirect Nora. She starts crawling towards teachers. Nora hits, kicks & scratches at staff. 10:00 on top of table IDs I feel silly throws chart at Wilde, 10:05 rapidly verbalizing schedule, with emphasis on telling time & going home IDs wants timeout & walks to chair. Sits quietly in the chair w/ blanket & Ms. Wilde controlling the rocking motion. 10:15 shown you look calm on wants/needs visual. Nora got up but then climbed on bike. Reminded of next item on schedule- reflection. Got off bike but went to floor w/ cartwheels. When told unexpected she laid on the floor. Tried giving her more time w/ weighted blanket. Nora threw blanket off. Threw wants/needs visual and then seat cushions. Started grabbing any item she could reach in sitting area of classroom. Determined its time to move to office for safety. 10:20 Seated in rocking chair with blanket, Mrs R does 3 rounds of pressure points. Nora lunges out of chair. Chairs removed from room. Nora under table w/ weighted blanket. Asked Mrs Cassidy to rub back. 10:30 asking teachers questions but then shushes them when they respond. Puts head on Cassidy's arm. Asked if she wants a hug then time for work. Nora says no & moves away. 10:35 you look calm is shown on wants/needs visual. Nora changes it to I feel upset. You look ready is shown. Nora ID's I feel calm. Cassidy suggests time to check schedule. Nora immediately grabs feels chart. Verbally says I feel upset & imitates upset image. You look thirsty. Clawed her own skin, can see nail marks. Changes wants/needs visual to I feel silly and imitates image. Nora asks for the needs chart & gives a goofy lion laugh. Shows I need timeout & throws chart. Suggested timeout in chair w/ head down. Nora gets mad starts pinching herself, hits head on table & laughs. 10:40 grabs images off another visual in office & tries them on her feels chart telling teachers to be nice. Says I feel please. I feel goodbye. Starts angrily talking to herself. Seems to be working herself back up. 10:45 pushing chair towards staff. Chair is taken away. Covered with blanket/pillow. Unexpectedly slams table into wall almost pinching Cassidy's finger. Nora is not able to lay calmly. Curls in ball with blanket & then throws blanket. 10:48 kicking table & then climbs on top. Staff remove visuals from walls so they aren't thrown. 10:50 Show need vest with wants/needs visual. Nora responds with a verbal responds next time. 10:53 laying on table with pillow blanket starts kicking wall. Redirected. Mrs R asks if she wants her shoes off. Nora is squirming. Cassidy asks if she wants to lay on ground. She says lay on table takes socks off. 10:55 laying on table covered up reading social stories to herself 11:02 gets off table lays on the floor starts throwing. Opens cabinet door & around the room banging on walls & file cabinet. Grabs social stories off the wall & reads in the chair. 11:10 Admin is contacted for support. Nora has been unregulated for 60 min. Move chairs & visuals out of office b/c Nora is throwing them at teachers. Climbs on table but gets off quickly. Laying under table. Mr. Statedler arrives. Nora quickly starts showing aggression. 5 strikes to staff since Statedler arrived. Mr Statedler restrains (less than a min.) with Nora laying on her belly, arms out and hand on shoulder. Mrs. Cassidy gets pillow/blanket. Nora lays quietly on floor & staff step back. 11:18 Nora's putting sick & shoes back on. She's been reminded bathroom. Mrs. Cassidy waits outside the door. Nora is seeking the mirror to make faces. Needs several redirections to leave the lift alone. Gets lunch from cafeteria & hit Ms. Wilde in the leg. Mrs. R used visual schedule and wait time with Nora to prompt her to continue with her schedule. Made the academic activity (iReady) short and then transitioned Nora to the swing for a regulation break. 2:25 - Ms. Wilde contacts Mrs. R for help in Nora's office. Nora is under the table again throwing items. She has also attempted to watch a movie on her iPad. She is supposed to be doing an academic activity (Raz Kids) on it. Nora will not respond to redirection either verbal or visual. Mrs. R takes the iPad away. This upsets Nora & she starts talking in a rapid angry tone with most words difficult to understand. Mrs. R does pressure points on Nora's hands. When Nora requests movie on iPad Mrs. R gives her the option of book flix on the bike but first Raz Kids. Nora requests movie a few more times but then agrees to complete Raz Kids then bike.

Rabel, Nora	2018-2019	6th	04/17/2019	Major - PHYSICAL AGGRESSION	No Location Assigned	Out School Susp	No Motivation Assigned
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Description: For over 45 minutes, the student was non-compliant and non-responsive to redirects. Throughout the time in the room, the student began to throw items throughout the room. Often the items were thrown at staff. There were more than five instances of items hitting staff members.



6/3/2019

List

Rabel, Nora	2018-2019	6th	04/17/2019	Seclusion & Restraint - Restraint	Other	Out School Susp	Obtain Items/Activities
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Description: BIP followed. Physical restraint used as last resort. Suspected function- control of task. This control lead to her body being out of control and no being able to manage her behavior.



Senate Bill 527  
Public comment  
Kimberlee Coronado  
200 Tenny Ave.  
Waukesha, WI 53186

November 19, 2019

As the parent of four students in Wisconsin's public schools, I am in favor and urge you to pass of SB 527 to ensure the safety and accountability in our schools.

I believe children can do well if they can. I also believe teachers can do well if they can. We also know 20% of youth ages 13-18 live with a diagnosed mental health challenge.

1 in 5 children have a learning disability.

This means in class of 30 students, 6-12 students in every single classroom are truly struggling to learn, maintain attention, stay on task, stay organized and complete assignment as their same age peers. . It is at this point when children are at risk to be placed in seclusion and or restraint are used simply because our children's behavior is communicating that they need assistance, instead they leave ashamed, traumatized and many are denied the most basic education. In our current system, it takes minimum of 8-10 years of symptoms to be "seen" before any intervention takes place.

This is 70% of a student's educational career. Think of all that time and all the missed opportunity. Our children come to school to learn how to read, how to spell, how to tell time, how to write. In the report, "School is not supposed to Hurt" Wisconsin has a reputation of allowing schools to skirt the rules. This requires action.

I believe children need to belong, and do best when they have the supports they need to succeed. I believe when teachers know better they will do better, however, 93% of teachers report they are concerned about their students' mental health yet they do not have the training or expert knowledge to support them. Teachers are only trained on reactive strategies and this is why I am here. As a parent of three children with Autism, who has been Certified in Non Violent Crisis Training (NVCT) I can tell you, there are proactive solutions that schools need to teach and implement way before the thought of using seclusion or restraining a child should ever occur.

"If a child can do math, speak 3 languages or receive top grades, but cannot manage their emotions practice conflict resolution, or handle stress, NONE of that other stuff is really going to matter." unknown author

Providing crisis training should not be the only tool you provide. It should only be provided as an emergency plan as it ONLY trains staff to seclude and restrain students which causes more long term trauma to students and their families and even causes death to some students.

I challenge this Committee to look deeply at root causation of Wisconsin's large achievement gaps; especially for those with IEP'S. I ask for you to collaborate, cooperate, innovate, and invention strategies that are proactive, restorative, relationship building, and solutions that ensures everyone is safe in schools.





I implore you to pass SB 527, provide the knowledge of trauma TEACH TEACHERS, empower students with resiliency and mental wellness and share power with parents.

"There can be no keener revelation of a society's soul than the way in which it treats its children" Nelson Mandela

<http://www.ndrn.org/images/Documents/Resources/Publications/Reports/School-is-Not-Supposed-to-Hurt-NDRN.pdf>

<http://civilrightsdocs.info/pdf/education/School-Climate-Principles.pdf>

<http://www.autcom.org/pdf/HowSafeSchoolhouse.pdf>

<https://www.usccr.gov/pubs/2019/07-23-Beyond-Suspensions.pdf>

The policy guidance from OSEP's Positive Behavioral Interventions and Supports Technical Assistance Agency regarding prevention of restraints and seclusion.

<https://www.pbis.org/Common/Cms/files/pbisresources/Preventing%20Restraint%20and%20Seclusion%20in%20Schools.pdf>

The following statements are made in this document – and throughout the PBIS materials I found at PBIS.org:

*Educators must understand that behavior is a form of communication and that all behavior serves a function. Students use their behavior to communicate that they want to get something (like attention or an activity) or avoid something (like escape an unpleasant or undesired situation).*

Mona Delahooke, Ph.D., writes the following in her blog, Childhood Trauma: Understanding Behavioral Challenges as Survival Instincts:

<https://monadelahooke.com/childhood-trauma-understanding-behavioral-challenges-as-survival-instincts/>

Far from being intentional, these children's behaviors are reactions to complex brain-body connections, say neuroscientists such as Stephen Porges and Bruce Perry. Humans build emotional and behavioral control through experiences in relationships. **When we choose to punish a child for behavioral challenges secondary to trauma, we are acting in conflict with what we know about brain development.**



**Instead, we need to integrate neuroscience principles into our approaches for traumatized children who display challenging behaviors.** Too many children are suffering, and the popular strategy of simply trying to alter behaviors fails to acknowledge the importance of loving engagement with adults as the foundation of treatment.

David Armstrong's article "Addressing the Wicked problem of Behavior in School (in the International Journal of Inclusive Education), published April 24, 2019 in the International Journal of Inclusive Education concludes that though PBIS is evidence based and has been used in the United States since the 1990s, it does not appear to have been successful. Students with disabilities affecting their behavioral development or who have mental health difficulties frequently face disadvantage, suspension or exclusion as a result of the application of the model in practice. Armstrong recommends wholehearted rejection of the manage and discipline model. The article argues that educational practice should align with insight about human behavior arising from research in developmental psychology. <https://sci-hub.tw/10.1080/13603116.2019.1597183>

A note from a veteran teacher whose eyes were opened after adopting a child with complex trauma and who provides concrete information about the needs of children who've experienced trauma.  
<https://www.adoptionrootsandwings.com/?p=278&fbclid=IwAR27fcLORG6ZobhXHTmT6VPCbOU-EEWgWweigNbb-JZVaORB1nJI0>

We need to do better for our children.

Kimberlee Coronado  
200 Tenny Ave  
Waukesha, WI

