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## Restraint and Seclusion in Vermont Schools

A Vermont State Board of Education Rule regarding the use of restraint and seclusion in Vermont schools went into effect on August 15, 2011. The purpose of the Rule is to help provide a positive learning environment for all children and should be part of your school's safety plan.

### Restraints

The school may restrain your child only when they are in danger of hurting themselves or others, or for property destruction and only as long as necessary to keep everyone safe. Restraints cannot be used for disrespectful behavior. The school must choose a restraint that is safe and that considers your child's age, size, ability to understand and communicate, and personal history. School staff that use restraints must be trained in a program approved by the state.

Schools cannot use chemical, medication, or mechanical means to restrain your child unless it is under professional guidance for medical or mobility safety.

They can use prone physical restraints, which means holding your child down on their stomach, and supine restraints, which means holding your child down on their back; however, since these restraints are more restrictive, they should only be used as a very last option.

### Seclusion

Schools may confine your child alone in a room only when they are in danger of hurting themselves or others or to prevent property destruction, and only as long as necessary.

The room must be large enough for your child to move around safely. It must be well lit, of comfortable temperature, and free of dangerous objects. An adult must watch your child while they are in the room.





Vermont  
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**802-876-5315**

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### **Individual safety plan**

When your child has behavioral issues that regularly endanger themselves or others, the school may develop an individual safety plan that includes the use of restraints and seclusion. The safety plan should be paired with a Functional Behavioral Assessment (FBA). The FBA brings together information from a variety of sources. FBA sources of information include:

- Classroom observations
- Review of school records
- Interviews with teachers
- Interviews with the parents
- Your child, where possible

The FBA is best done by school personnel, such as special educators, school social workers, school psychologists, or behavior analysts who work directly with your child, are proficient and have training and experience in developing FBAs. This information is used to create a behavior intervention plan for your child. The plan must include positive strategies that teach your child ways to express his or her feelings, wants, and needs in acceptable ways. If an individual safety plan is developed for your child, you must provide written consent for the plan and you may revoke your consent at any time. The school must review the individual safety plan at least once a year.

### **Documentation and reporting**

The school must monitor your child after a restraint or seclusion has ended. School staff not involved in the restraint/seclusion must conduct a physical/medical assessment and document any injuries. A school administrator must inform you, either verbally or electronically, of any incident of restraint/seclusion as soon as possible, but definitely by the end of the school day. Within 24 hours, the school must provide a written account to the parent with the following information:

- Contact information of a school staff person who can provide further information.

- The time, date, and description of the restraint/seclusion.
- The date and time of a review session, which will occur within four school days of the incident, including notice that the parents have the opportunity to participate in this session.

Additionally, you will be invited to a processing meeting in which the use of the restraint or seclusion will be reviewed.

### **Complaints and investigations**

You may file a complaint regarding the restraint or seclusion of your child to a school administrator. The school then has 30 days to investigate and issue a written report. If you are not satisfied with the report, you may direct the complaint to the superintendent of the school district. If your child is on an Individualized Educational Program (IEP) or a Section 504 Plan, then there are other options of complaint, such as mediation or due process.

### **Resources**

#### **[Office of Civil Rights](#)**

Ensures equal access to education and promotes educational excellence through vigorous enforcement of civil rights. 617-289-0111

#### **[Vermont Agency of Education](#)**

Special Education Technical Assistance. 802-828-1256

#### **[Vermont Federation of Families for Children's Mental Health](#)**

Support for families experiencing or at risk to experience emotional, behavioral, or mental health challenges. 800-639-6071

#### **[Vermont Legal Aid: Disability Law Project](#)**

Provides counsel and advice, brief service, and full representation to eligible clients and their family. 800-889-2047

Email: [info@vtn.org](mailto:info@vtn.org) Website: [www.VermontFamilyNetwork.org](http://www.VermontFamilyNetwork.org)