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Contact:

Sally Flaschberger, Disability Rights Wisconsin – 414-773-4646, [sallyf@drwi.org](mailto:sallyf@drwi.org)  
Joanne Juhnke, Wisconsin Family Ties – 608-320-6165, [joanne@wifamilyties.org](mailto:joanne@wifamilyties.org)  
Courtney Salzer, WI FACETS – 414-374-4645, [csalzer@wifacets.org](mailto:csalzer@wifacets.org)

## Report Offers First Statewide Look at Seclusion and Restraint in Wisconsin's Public Schools

Madison, WI – A new report issued today by Disability Rights Wisconsin, Wisconsin Family Ties, and WI FACETS, offers the first statewide look at seclusion and restraint data in Wisconsin's public schools. The report, called *Seclusion & Restraint in Wisconsin Public School Districts: 2012-2013 School Year Data* and located online at <http://www.disabilityrightswi.org/archives/4668>, is based on open records requests to special education directors statewide, collecting the data they were required to report to their school boards last fall in the wake of the 2012 passage of Wisconsin Act 125, which established crucial regulations on public-school use of seclusion and restraint. The results provide a baseline of information about current statewide use of seclusion and restraint of students and, more specifically, students with disabilities, who according to the report accounted for a disproportionate 74% of seclusion and restraint incidents in 2012-13.

The three organizations have for years helped amplify the voices of families whose students had suffered emotional and physical injury due to seclusion and restraint, highlighting the need for change that led to the passage of Act 125. The law limits the use of seclusion and restraint to situations in which there is an immediate risk to physical safety, and the intervention is the least restrictive one possible. The first year of data demonstrates, however, that interpretation and implementation is uneven across school districts.

“On behalf of students with disabilities statewide, we’re pleased to provide this statewide data compilation,” said Monica Murphy, managing attorney at Disability Rights Wisconsin. “The data show that there are wide variations in the extent to which districts are using seclusion and restraint with their students, from a surprising number of districts reporting no seclusion and restraint at all, to one district that reported twice as many incidents of seclusion and restraint as it has students enrolled.”

The open records requests also revealed significant confusion regarding data reporting, an issue that is just coming to light with today's release, since districts are only required to report to their own school boards rather than to a statewide entity. The law requires districts to report seclusion and restraint incidents separately, to identify the number of students with and without disabilities involved in the incidents, and to report data on a building-by-building basis. In responding to the open records request, some districts reported being unaware of the year-end reporting requirement and could not provide data, while others failed to report seclusion and restraint separately. Some districts over-reported seclusion based on incorrect definitions, some did not report the number of

students involved nor break out by disability status, and most did not meet the requirement to report data by building.

“We’re concerned by the apparently uneven understanding during the first year that Act 125 was in force,” says Jan Serak, CEO of WI FACETS. “It is our hope that this report creates some awareness of the issues and helps pave the way for better implementation and reporting.”

“It’s clear that there’s room for a great deal of improvement, both in reporting and reducing the use of seclusion and restraint in Wisconsin’s schools,” said Hugh Davis, executive director at Wisconsin Family Ties. “Given the extent to which inappropriate use of seclusion and restraint can cause lasting harm to students, it is vital that these interventions come to be correctly understood as not Plan A or Plan B, but as a true last resort and only in situations where physical safety is at immediate risk.”

The three agencies will continue to monitor the use of seclusion and restraint in Wisconsin schools, requesting and examining annual data in order to identify potential areas of improvement both in the law and in statewide practice.

- Disability Rights Wisconsin is a statewide private nonprofit organization that is part of a national system of federally mandated independent disability agencies.
- Wisconsin Family Ties, Wisconsin’s family voice for children’s mental health, is a parent-run nonprofit serving families that include children with social, emotional or behavioral challenges.
- WI FACETS is Wisconsin’s U.S. Dept. of Education/Office of Special Education Programs-funded Parent Training and Information Center serving families of children and youth with disabilities statewide.

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