

The background of the slide is a composite image. The top left shows a line of yellow school buses, with the word 'SCHOOL BUS' visible on the front of one. The bottom left shows a classroom with blue walls, decorated with colorful balloons and framed pictures. Several desks and chairs are arranged in the room.

Physical Restraint and Seclusion Regulations and Definitions

Module 1

Office of Special Education and Early Learning (OSEEL)

Regulations and Definitions

[704 Kentucky Administrative Regulation \(KAR\) 7:160](#)



Physical Restraint and Seclusion (PR&S) Regulation

- [704 KAR 7:160, Use of physical restraint and seclusion in public schools](#)
 - Establishes the requirements for the use of PR&S in districts;
 - Establishes the notification and data reporting requirements for the use of PR&S in districts; and
 - Does not prohibit the lawful exercise of law enforcement duties by sworn law enforcement officers.

Key Definitions

Physical Restraint: “A personal restriction that immobilizes or reduces the ability of a student to move ...” freely. It does not include “... temporary touching or holding ... for the purpose of encouraging a student to move voluntarily to a safe location... behavioral intervention, such as proximity control ..., Less restrictive physical contact or redirection to promote physical safety ..., physical guidance or prompting when teaching a skill or redirecting the student’s attention.”

Key Definitions

Seclusion: “The involuntary confinement of a student alone in a room or area from which the student is prevented from leaving ...” It does not include classroom timeouts, supervised in-school detentions or out-of-school suspensions.

Key Definitions

Aversive Behavioral Interventions: “A physical or sensory intervention program intended to modify behavior that ... would cause physical trauma, emotional trauma or both, to a student ...”, such as hitting, pinching, loud auditory stimuli or others.

Positive Behavioral Supports: “A school-wide systematic approach to embed evidence-based practices and data-driven decision-making ...”

[\[704 KAR 7:160, Section 1 \(1\) and \(11\)\]](#)

Additional Considerations

Additional Considerations: Waiver

- [Kentucky Revised Statute \(KRS\) 156.161\(1\)](#) prohibits the Kentucky Board of Education (KBE) from waiving any administrative regulation “relating to health and safety.”
- The KBE and the Kentucky Department of Education (KDE) consider [704 KAR 7:160](#), use of PR&S in public schools to be “relating to health and safety” and nonwaivable.

Additional Considerations: IDEA Implications

“When a student exhibits behavior that interferes with the student’s education or the education of other students in a manner that would reasonably cause teachers or other school personnel to suspect that the student has a disability, as defined under Section 504, the school district must evaluate the student to determine if the student has a disability and needs special education or related services because of that disability.”

[\[Richardson School District, OCR, 06-22-111\]](#)

Additional Considerations: IDEA Implications

“For a student who has already been identified as a student with a disability, a school’s repeated use of physical restraint may suggest that the student’s current array of regular or special education and related aids and services is not sufficient to provide FAPE [Free Appropriate Public Education].”

[\[Richardson School District, OCR, 06-22-111\]](#)



Kentucky Department of
E D U C A T I O N

Resources and Support

[KDE Physical Restraint and Seclusion Webpage](#)



Resources

- [KDE Physical Restraint and Seclusion Webpage](#)
- [Safe Schools Data Collection and Reporting](#)
- [United States Department of Education *Restraint and Seclusion Resource Document*](#)
- [KDE Positive Behavioral Interventions and Supports \(PBIS\)](#)
- [*Data Standard Behavior \(Safe Schools\) Data Entry*](#)
- [704 KAR 7:160. *Use of physical restraint and seclusion in public schools*](#)

Questions



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