**NEVADA GOVERNOR’S COUNCIL ON DEVELOPMENTAL DISABILITIES**

**Position on Restraints and Seclusion for Individuals with Intellectual and/or Developmental Disabilities**

Historically, individuals with intellectual and/or developmental disabilities (I/DD) have been restrained and secluded in various aspects of society. The risks of restraint and seclusion are well documented and range from minor physical and psychological injury, trauma, to death.

# The use of seclusion, mechanical and chemical restraint, or exposure to unpleasant or harmful sensory experiences (taste, touch, auditory, etc.) should never be adopted as the sole approach to managing challenging behavior. The use of physical restraints, seclusion, and other interventions is marked by inequality in power between the person delivering action and the recipient. Such interventions do not address the cause of the problematic behavior and may create social isolation and trauma through the application of pain or fear. The use of such interventions should be replaced by the application of positive behavioral support within a trauma informed environment.

The use of such interventions should be replaced by the application of positive behavioral support within a trauma informed environment. This should include a framework of moral and ethical values that focus on:

* Improving quality of life,
* Ensuring individuals with I/DD have the opportunity to be self-determined,
* Recognize behavior as a form of communication,
* Implementing interventions that emphasize the development and use of positive skills for greater independence, and,
* Making modifications to the context in which problem behavior occurs.

# **The Nevada Governor’s Council on Developmental Disabilities (NGCDD) believes that the use of physical, mechanical, and chemical restraints is inappropriate except in situations of imminent danger of serious physical harm to the individual or others. Seclusion or restraint must never be used for convenience or to punish or coerce individuals. The Council strongly opposes the inappropriate and/or unnecessary use of restraints and other aversive interventions. The NGCDD also believes that seclusion should not be used under any circumstances. Lastly, we believe that Individuals have the right to be treated with respect and dignity and in a safe, humane, culturally sensitive and developmentally appropriate manner that respects individual choice and maximizes self-determination.**

**Policy Recommendations:**

1. Adopt policies at the federal, state, and other organizational levels that will protect individuals from needless trauma associated with seclusion and restraint use, while supporting both the safety of all individuals.
2. Ensure that students with I/DD are entitled to free and appropriate public education (FAPE) in the least restrictive environment (LRE).
3. Ensure that policies support that restraint should only be used in situations where an individual with I/DD has demonstrated that they are in imminent physical danger to themselves, or others and all other least restrictive supports have been exhausted. Moreover, when restraint is used, it should end when the individual with I/DD demonstrates that they are no longer a danger to themselves or others or demonstrates signs of medical distress. Restraint should never be used as a means of discipline or coercion, nor should restraint ever be used as a primary method for de-escalating an individual’s behavior.
4. Support full funding of IDEA 2004, that promotes the use of Functional Behavioral Assessments (FBA) and Behavior Intervention Plans (BIP) when a student has demonstrated behavior that impedes their learning or the learning of others, is necessary to fully support children and youth with disabilities. (Council for Exceptional Children, 2020)
5. Adults and children with I/DD shall be afforded the same rights of protection from unnecessary seclusion and restraints.
6. All entities shall make a movement toward future elimination of seclusion and restraint requires instituting and supporting less intrusive, preventative, and evidence-based interventions in behavioral emergencies that aid in minimizing aggression while promoting safety.

Last Review Date:

References:

Council for Exceptional Children (2020) Position on Restraint and Seclusion Procedures in School Settings. [https://exceptionalchildren.org/sites/default/files/2020-11/Restraint%20and%20Seclusion-2020.pdf](https://exceptionalchildren.org/sites/default/files/2020-11/Restraint%20and%20Seclusion-2020.pdf#:~:text=POSITION%20STATEMENT%20Position%20on%20Restraint%20and%20Seclusion%20Procedures%20in%20School)