



# STATE OF NEW JERSEY DEPARTMENT OF EDUCATION



OFFICE OF SPECIAL  
EDUCATION GUIDANCE

## RESTRAINT AND SECLUSION OF STUDENTS WITH DISABILITIES

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# INTRODUCTION

Promoting the safety and well-being of all students, including those with disabilities, requires clear and well-defined guidelines on the use of restraint and seclusion. This document is intended as a resource for educators, administrators, and school personnel. It provides an overview of relevant state and federal regulations, highlights evidence-based alternatives to restraint and seclusion, and outlines proactive strategies to prevent the use of these restrictive practices.

Students with disabilities are protected under several legal frameworks, including the Individuals with Disabilities Education Act (IDEA), Section 50 of the Rehabilitation Act, and state specific regulations such as Public Law 2017, Chapter 291. These statutes establish essential safeguards to ensure that restraint and seclusion are used only as a last resort, and only when there is an imminent risk of harm. This guidance outlines the legal obligations that LEAs must fulfill, including documentation requirements, timely reporting, and appropriate parental notification, to ensure compliance with applicable laws.

Restraint and seclusion should only be used as a last resort, after all other de-escalation strategies have been attempted and proven ineffective. These interventions are appropriate only when a student's behavior poses an imminent risk of serious physical harm to themselves or others. Use of restraint or seclusion must never be used as a routine response to instructional challenges or inappropriate behaviors, such as disrespect, noncompliance, insubordination, or out-of-seat behavior, nor should they be employed as a means of coercion, retaliation, or staff convenience.



# Definitions

N.J.S.A. § 18A:46-13.4

**Physical Restraint:\*** State law defines physical restraint as the use of a personal restriction that immobilizes or reduces the ability of a student to move all or a portion of his or her body.

**Mechanical Restraint:** State law does not define mechanical restraint. However, the United States Department of Education (USDE) has defined it as, “The use of any device or equipment to restrict a student’s freedom of movement. This term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional and are used for the specific and approved purposes for which such devices were designed, such as:

- Adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports;
- Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle;
- Restraints for medical immobilization; or
- Orthopedically prescribed devices that permit a student to participate in activities without risk of harm”.

**Seclusion:\*** State law defines seclusion as the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving, but does not include a timeout.

**Timeout:** State law defines timeout as a behavior management technique that involves the monitored separation of a student in a non-locked setting, and is implemented for the purpose of calming.

\*“Restraint” does not include behavioral interventions used as a response to calm and comfort (e.g., proximity control, verbal soothing) an upset student and “seclusion” does not include classroom timeouts, supervised in-school detentions, or out-of-school suspensions. (See Resource Guidance from USDE)

# Use of Physical Restraints

N.J.S.A. §18A: 46-13.5

**A school district, an educational services commission, or an approved private school for students with disabilities that utilizes physical restraint on students with disabilities shall ensure that:**

- Physical restraint is used only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger.
- A student is not restrained in the prone position, unless the student's primary care physician authorizes, in writing, the use of this restraint technique.
- Staff members who are involved in the restraint of a student receive training in safe techniques for physical restraint from an entity determined by the board of education to be qualified to provide such training, and that the training is updated at least annually.
- The parent or guardian of a student is immediately notified when physical restraint is used on that student, which notification may be by telephone or electronic communication. A full written report of the incident of physical restraint shall be provided to the parent or guardian within 48 hours of the occurrence of the incident.
- Each incident in which a physical restraint is used is carefully and continuously visually monitored to ensure that it was used in accordance with established procedures set forth in a board policy developed in conjunction with the entity that trains staff in safe techniques for physical restraint, in order to protect the safety of the student and others; and
- Each incident in which physical restraint is used is documented in writing in sufficient detail to enable the staff to use this information to develop or improve the behavior intervention plan at the next Individualized Education Program (IEP) meeting.



# Use of Seclusion

N.J.S.A. § 18A:46-13.6

**A school district, an educational services commission, or an approved private school for students with disabilities that utilizes seclusion techniques on students with disabilities shall ensure that:**

- A seclusion technique is used on a student with disabilities only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger.
- Each incident in which a seclusion technique is used is carefully and continuously visually monitored to ensure that it was used in accordance with established procedures set forth in a board policy developed in conjunction with the entity that trains staff in safe techniques for physical restraint, in order to protect the safety of the child and others.
- Each incident in which a seclusion technique is used is documented in writing in sufficient detail to enable the staff to use this information to develop or improve the behavior intervention plan at the next IEP meeting.





# New Jersey

## Positive Behavioral Supports in Schools

New Jersey Positive Behavioral Support in schools (NJ PBSIS) is a proactive, evidence-based framework designed to create supportive learning environments, improve student behavior, and reduce the need for crisis intervention, such as restraint and seclusion. By focusing on prevention, NJ PBSIS helps schools establish clear expectations, reinforce positive behaviors, and provide individualized support for students with disabilities who may struggle with behavioral challenges.

NJ PBSIS works by implementing a multi-tiered system of support that begins with universal strategies for all students, such as consistent routines, social-emotional learning, and a positive school climate. For students requiring additional assistance, targeted interventions, such as small-group instruction, mentoring, and behavioral coaching, offer proactive support before behaviors escalate. At the most intensive level, individualized behavior plans and function-based interventions address specific student needs, reducing the likelihood of dangerous situations that might lead to restraint or seclusion. Intensive intervention planning is a data driven decision-making process that results in the implementation of intensive and individualized interventions developed based on the results of a comprehensive assessment.

Research has shown that schools using NJ PBSIS techniques experience fewer behavioral incidents, lower suspension rates, and improved student outcomes. By prioritizing positive reinforcement, de-escalation techniques, and collaborative problem-solving, NJ PBSIS fosters a culture of respect and inclusion where students with disabilities receive the support they need to succeed, without relying on restrictive and potentially harmful disciplinary practices.

Implementing NJ PBSIS effectively requires staff training, data-driven decision-making, and a commitment to shifting school culture toward prevention rather than reaction. When schools embrace this approach, they not only reduce the use of restraint and seclusion but also build safer, more inclusive learning environments where all students can thrive.



# Principles of Restraint and Seclusion

Guidance provided by the USDE Restraint and Seclusion: Resource document

## Prevention

- Every effort should be made to prevent the need for the use of restraint and for the use of seclusion.
- Physical restraint or seclusion should not be used except in situations where the child's behavior poses imminent danger of serious physical harm to self or others, and other interventions are ineffective and should be discontinued as soon as imminent danger of serious physical harm to self or others has dissipated.

## Parent Information

- Parents should be informed of the policies on restraint and seclusion at their child's school or other educational setting, as well as applicable Federal, State, or local laws.
- Parents should be notified as soon as possible following each instance in which restraint or seclusion is used with their child. Policies regarding the use of restraint and seclusion should be reviewed regularly and updated as appropriate.



# Principles of Restraint and Seclusion

Guidance provided by the USDE Restraint and Seclusion: Resource document

## Policies and Procedures

- Schools should never use mechanical restraints to restrict a child's freedom of movement, and schools should never use a drug or medication to control behavior or restrict freedom of movement (except as authorized by a licensed physician or other qualified health professional).
- Policies restricting the use of restraint and seclusion should apply to all children, not just children with disabilities and should be reviewed and revised regularly.
- Any behavioral intervention must be consistent with the child's rights to be treated with dignity and to be free from abuse.
- Restraint or seclusion should never be used as punishment or discipline (e.g., placing in seclusion for out-of-seat behavior), as a means of coercion or retaliation, or as a convenience.
- Restraint or seclusion should never be used in a manner that restricts a child's breathing or harms the child.



# Principles of Restraint and Seclusion

Guidance provided by the USDE Restraint and Seclusion: Resource document

## Training and Data Collection

- The use of restraint or seclusion, particularly when there is repeated use for an individual child, multiple uses within the same classroom, or multiple uses by the same individual, should trigger a review and, if appropriate, revision of strategies currently in place to address dangerous behavior; if positive behavioral strategies are not in place, staff should consider developing them.
- Behavioral strategies to address dangerous behavior that results in the use of restraint or seclusion should address the underlying cause or purpose of the dangerous behavior.
- Teachers and other personnel should be trained regularly, but no less than annually, on the appropriate use of effective alternatives to physical restraint and seclusion, such as positive behavioral interventions and supports and, only for cases involving imminent danger of serious physical harm, on the safe use of physical restraint and seclusion.
- Every instance in which restraint or seclusion is used should be carefully and continuously and visually monitored to ensure the appropriateness of its use and safety of the child, other children, teachers, and other personnel.
- Each incident in which restraint or seclusion is used shall be documented in writing in sufficient detail to enable the staff to use this information to develop or improve the behavior intervention plan at the next IEP meeting.



# Resources

Click on each text to access the resource

[US Department of Education  
Guidance on Restraint and Seclusion](#)

[Center for Positive Behavioral  
Interventions and Support](#)

[A Best Practice Guide for  
Behavior Analysts](#)

[NJDOE Office of Special  
Education Behavior Supports  
and Interventions](#)

[Landing Page](#)

[NJ PBSIS](#)

**CONTACT US**

Office of Special Education

609-376-9060

[OSEinfo@doe.nj.gov](mailto:OSEinfo@doe.nj.gov)