2022-2023 School Year

Seclusion and Restraint in Wisconsin Public Schools

About the Data

Pursuant to 2019 Wisconsin Act 118, public school districts and private schools participating in the Special Needs Scholarship Program (SNSP) are required to report seclusion and restraint data for the preceding school year prior to December 1 each year.

From September 2023 to December 2023, the Wisconsin Department of Public Instruction (DPI) administered a Qualtrics survey to all district administrators and SNSP administrators in the state to report their respective seclusion and restraint data for the 2022-2023 school year. When reporting data, local educational agencies (LEAs) collect data for schools within their district and report on their behalf. The LEAs also report incidents involving students from their district who are placed in an alternate program. However, the incidents that occur within alternate programs are totaled across all LEAs in the public data file. The public data file of all schools is available on the Wisconsin DPI's seclusion and restraint webpage. Data collected from traditional public schools and SNSP schools during the 2022-2023 school year is summarized in this report.

The 2019 Wis. Act 118 did not grant authority to the DPI to collect data disaggregated by demographic characteristics beyond disability status (such as race, gender, socioeconomic status, etc.) or documentation of law enforcement involvement. However, the DPI strongly encourages LEAs to collect, analyze, and review their local data at this level.

Starting with the 2021-2022 school year seclusion and restraint reporting cycle, LEAs have had the opportunity to voluntarily report seclusion and restraint incidents that involved law enforcement to DPI. This data can then be used to inform practices, policies, and procedures. This data can also be used to ensure seclusion or restraint is used only when there is a clear, present, imminent physical safety risk, and it is the least restrictive intervention feasible.

The COVID-19 pandemic has impacted multiple years of seclusion and restraint data collection. As a result of the pandemic, schools incorporated virtual learning practices, many of which continued in some capacity through the 2021-2022 school year. Since incidents of seclusion and restraint occur in in-person spaces rather than virtual learning spaces, additional considerations should be made when interpreting how incident numbers have changed over time. Incident trends over time will continue to become more informative as more data is collected in future years.

Incidents in which seclusion and restraint occurred simultaneously are counted as separate instances. Therefore, the total number of individual students involved in seclusion or restraint combined is unattainable due to potential issues of double counting. Similarly, the data does not confirm whether the same student was repeatedly secluded or restrained, although dividing the number of incidents by the number of students involved provides an estimate. In addition, the numbers and statistics in this report will differ slightly from what is available in the public data file, because numbers reported by schools with a population of less than five students with disabilities are not available in the public data file to protect student privacy.

Overview

Collection of data for the 2022-2023 school year marks the fourth state-level data collection related to seclusion and restraint. The results from the data collection indicate seclusion and restraint practices continue to occur in schools throughout the state. Approximately a third (33 percent) of schools reported at least one incident of seclusion and nearly half (46 percent) reported at least one incident of restraint. Students with disabilities are involved in a disproportionate number of incidents, despite comprising 14.9 percent of the statewide student population.

| Incident Type	Number of Schools with One or More Incidents	Number of Incidents	Number of Students Involved	Number of Students with Disabilities Involved
Seclusion	720 (33% of schools)	5,396	1,868	1,494 (80% of all students involved)
Restraint	1,020 (46% of schools)	6,366	2,763	2,153 (78% of all students involved)

Statewide Implications

The state is divided into twelve Cooperative Educational Service Agencies (CESAs). Reviewing the data at this level could potentially identify if there are regional differences in the use of seclusion and restraint within Wisconsin. By analyzing the CESA level data, it becomes apparent that the practice of secluding and restraining students is not limited to any specific region in Wisconsin. Incident rates also do not appear to be specifically tied to urban or rural areas. The maps below account for differences in CESA size by analyzing incidents per 1,000 students.

Seclusions per 1,000 Students Enrolled, by CESA
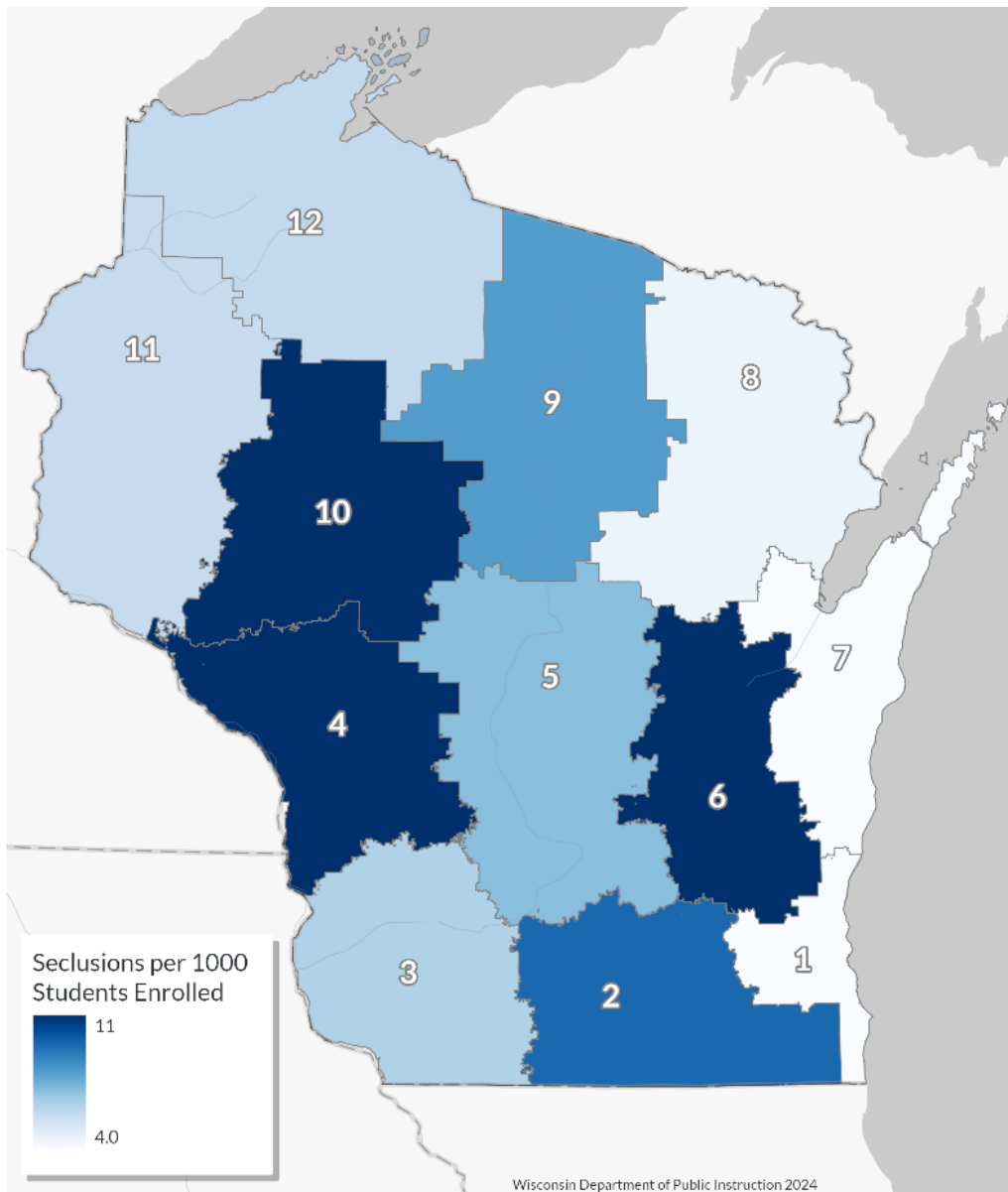
Restraints per 1,000 Students Enrolled, by CESA

Wisconsin Department of Public Instruction 2024
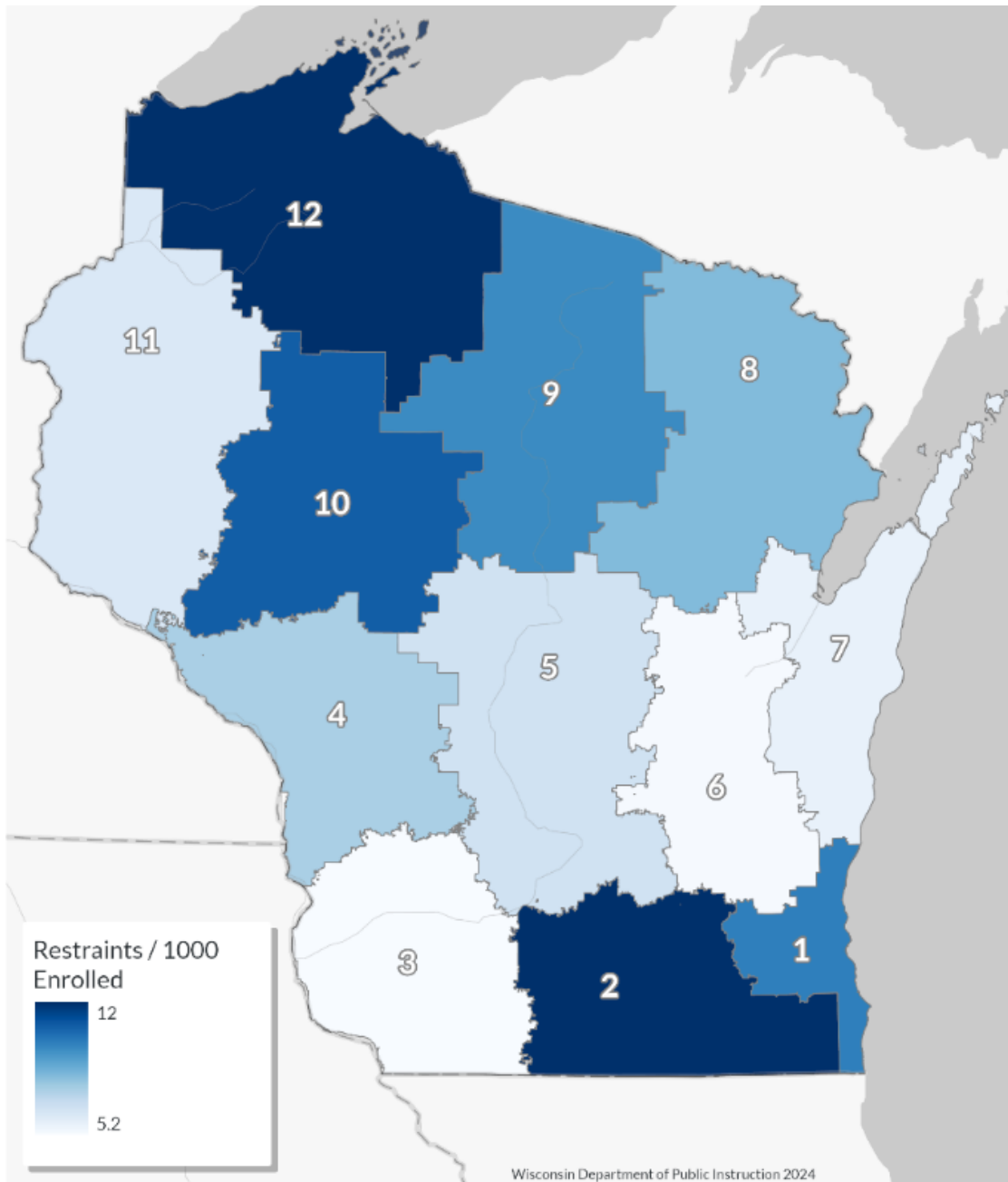
Trends

An analysis of trends over time can help inform the impact of interventions intended to reduce incidents. As this is only the fourth state-wide collection of seclusion and restraint data, conclusions drawn from trend analysis should still be considered with caution. Further impacting trend analysis, not all schools offered in-person instruction throughout the entirety of the 2020-2021 and 2021-2022 school years due to the COVID-19 pandemic. Given the impact the pandemic has had on school operations over recent

school years, however, the similarities between the 2021-2022 and 2022-2023 school year numbers may reflect a new baseline moving forward. Incident numbers over time are shown in the tables and figures below.

Incident Type	2019-2020	2020-2021	2021-2022	2022-2023
Seclusion	8,733	4,314 (↓ 50.6%)	5,908 (↑ 37.0%)	5,396 (↓ 8.7%)
Restraint	9,790	4,949 (↓ 49.4%)	6,916 (↑ 39.8%)	6,366 (↓ 8.0%)

**Seclusion and Restraint Incidents 2019-2023**
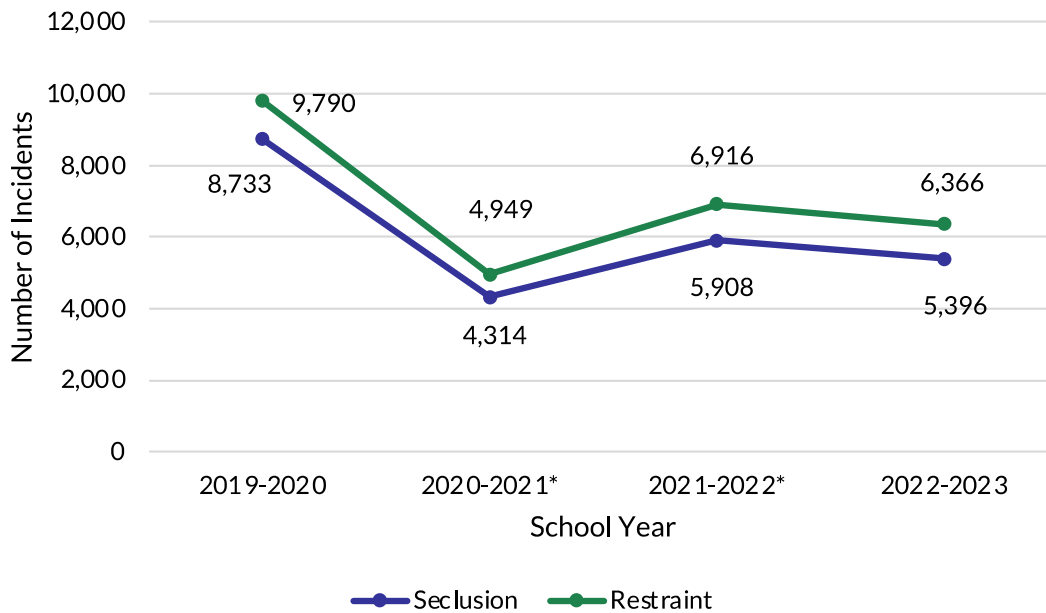
COVID-19 limited in-person instruction for all or most of the school year

Repeatedly Affected Students Over Time

Given the reported number of incidents is larger than the number of students involved, the inference can be made that at least some students are subject to repeated seclusions or restraints. This pattern is evident across all years of data collection and averages between two to three incidents per student through the school level data.

Incident Type	2019-2020	2020-2021	2021-2022	2022-2023
Seclusions per Student	3.60	3.35	3.08	2.89
Restraints per Student	2.80	3.00	2.42	2.30

Number of Students per Incident of Seclusion and Restraint 2019-2023
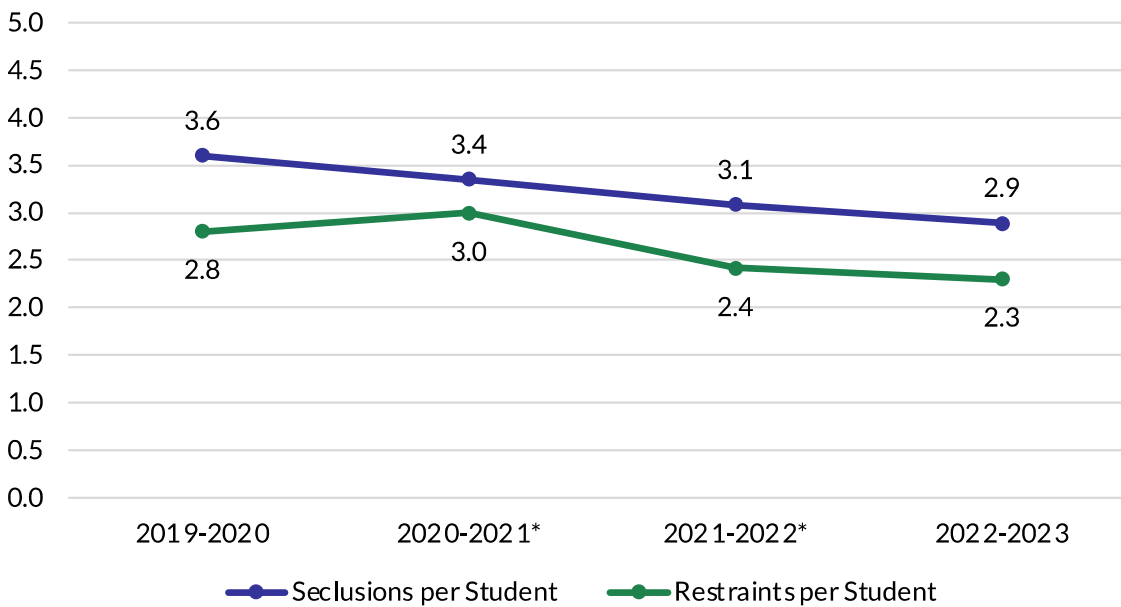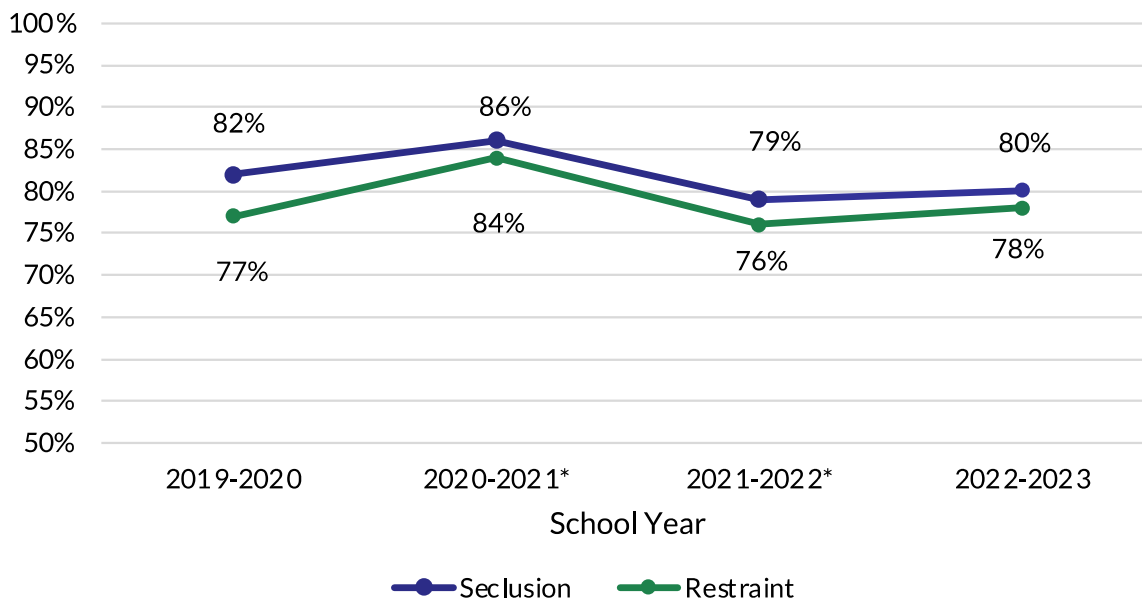

*COVID-19 limited in-person instruction for all or most of the school year

Percentage of Incidents Involving Students with Disabilities Over Time

Students with disabilities continue to be disproportionately secluded and restrained more than students without disabilities. The proportion of students with disabilities involved in these incidents remains high and consistent with previous data collections, where approximately 75 to 85 percent of students involved are students with disabilities.

Incident Type	2019-2020	2020-2021	2021-2022	2022-2023
Seclusion	82%	85%	79%	80%
Restraint	77%	84%	76%	78%

Percentage of Incidents Involving Students with Disabilities 2019-2023


*COVID-19 limited in-person instruction for all or most of the school year*

Incidents by School Type

Most of the seclusion and restraints occur in elementary schools. In the 2022-2023 school year, nearly 90 percent of seclusions and over 80 percent of restraints occurred in elementary schools. This data collection marks the fourth school year that the vast majority of seclusions and restraints occurred in elementary schools. For more information on school types, please see [DPI's website for a description of each school type](#).

Percentages of Seclusions by School Type
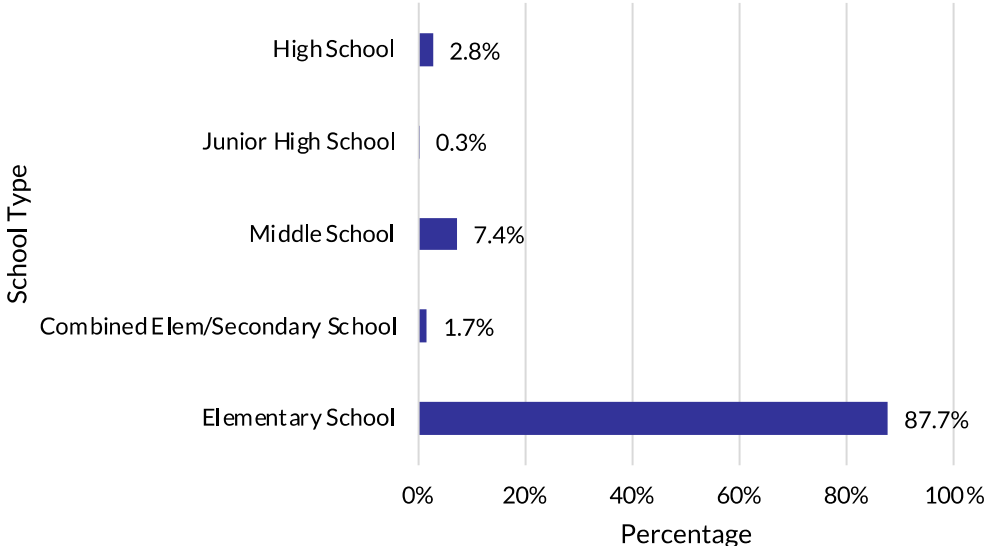
Percentages of Restraints by School Type
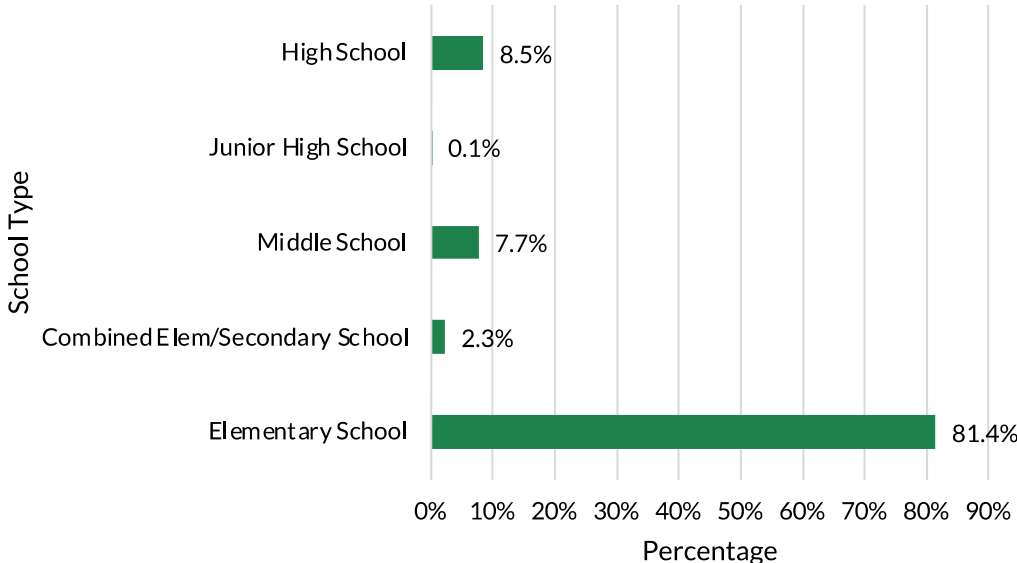
Factors That May Contribute to Seclusion and Restraint Rates

While several variables may affect the rate of seclusion or restraint in any given school or district, it is imperative to note some of the current mental health realities students in Wisconsin face daily. Specifically, the past few iterations of the Youth Risk Behavior Survey (YRBS) concluded Wisconsin students are reporting declines in mental health, with students with disabilities and students of color particularly reporting fewer supports and more challenges than their peers. While it is unclear if this is directly related to the disproportionate seclusion and restraint rates, the unfortunate reality remains that students with disabilities and students of color continue to face a disproportionate number of adverse factors throughout their academic careers.

Conclusion and Recommendations

2019 Wisconsin Act 118 marked a significant step toward further regulating the practice of seclusion and restraint by adding new definitions of appropriate use and by creating a statewide reporting requirement. This reporting requirement made this analysis and report possible. Seclusion and restraint practices remain used throughout Wisconsin schools with no clear concentration in urban or rural settings. Some trends are evident—such as higher rates in elementary schools and among students with disabilities. Ultimately, what is required by law to be used only as a last resort mitigation strategy continues to occur in Wisconsin schools. The numbers included in this report represent thousands of actual lived experiences that can dramatically impact a child's educational experiences and lifelong outcomes. To understand their practices and impact, the DPI strongly encourages LEAs to collect, analyze, and review their data to ensure practices, policies, and procedures are equitable, appropriate, and in the best interest of all students.

Resources for Practices that Support the Reduction of Seclusion and Restraint

Seclusion and restraint must be a last resort and used only when there is a clear, present, and imminent physical safety risk to the student or others, and when it is the least restrictive intervention feasible. After each instance, the principal or designee must meet with individuals involved in the incident. To increase the knowledge of alternatives and other strategies available and to reduce the number of times seclusion and restraint are utilized, the following resources have been compiled and are available through the DPI seclusion and restraint website:

- Wisconsin School Mental Health Framework: The framework includes six components of a comprehensive school mental health system (CSMHS) and provides guidance on implementing them from a trauma sensitive lens. A CSMHS includes a continuum of services and supports to promote student and staff mental health by fostering social and emotional well-being and positive school culture and eliminating systemic barriers to well-being and success for all students. A CSMHS increases health equity by ensuring all students and staff

have access to the prevention, early intervention, and treatment supports that they need when they need them, free of stigma.

- Trauma Sensitive Schools: By becoming a trauma sensitive school, schools can become a protective factor for students exposed to traumatic events and increase the social and emotional skills, as well as the academic skills, of the entire school body.

- Culturally Responsive, Evidence-Based Practices: School staff and school mental health providers recognize the needs of students from diverse cultural backgrounds and offer programs that reduce disparities in services. These practices are designed to help educators deepen their understanding of the needs of a diverse student body and to use strategies proven to help close achievement gaps.

- College and Career Ready Individualized Education Programs (CCR IEPs): For students with disabilities, an IEP based on the CCR IEP five beliefs of High Expectations, Culturally Responsive Practices, Student Relationships, Family and Community Engagement, and Collective Responsibility is designed to identify and meet student learning needs through appropriate individualized services. The CCR IEPs provide a framework for IEP teams to explore beliefs and attitudes regarding students with disabilities, build knowledge and skills to evaluate and plan special education services, and examine systems and practices that support students, families, and educators.

- Social Emotional Learning (SEL): Provides the essentials for implementing a comprehensive approach to SEL. Making SEL skills part of the learning equation helps children succeed in school and life. With social and emotional skills, children can manage their feelings, build healthy relationships, and navigate social environments.

- Supporting Neurodiverse Students: Most students in Wisconsin who are secluded or restrained are students with disabilities, many of whom are neurodiverse. This website contains many resources for training and support in working with this population of students.