

## Parents question use of seclusion rooms

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When you walk into the room in a corner of a special education class at Anderson Elementary School, the first thing you notice are the blue and gray mats.

The walls and floor are covered with them. They're made up of a padded material, like the kind you'd use to do situps during PE class.

The room is small. The ceiling is about 10 feet high, and the walls are about 7 feet apart. The door has a sliver of a window, and there's a latch on the outside that can be held down to keep it closed.

The room is known as a seclusion room.

It's part of a law in North Carolina called the Greenblatt Act, which gives schools strategies to deal with students' aggressive behavior. The law is meant to "promote safety and prevent harm to all students, staff and visitors in the public schools."

But a complaint filed with the U.S. Department of Education Office of Civil Rights in January by parents of a 5-year-old special education student in New Hanover County said the law isn't being used for all students. The complaint alleges that the district is only placing children with disabilities in seclusion rooms.

Under the state Greenblatt Act, seclusion rooms can be used to protect students and teachers when a student's "behavior poses a threat of imminent physical harm to self or others."

Teachers must stand outside the room, monitoring the student and holding down the latch to keep the door closed. The student can stay inside for only a few minutes.

The law also says that seclusion rooms can be used as part of a special needs student's individualized education plan, which lays out what a student with special needs is able to do and needs help doing. The law doesn't make any distinction as to what type of students can be placed in seclusion.

A group called N.C. Fear Free Education, which describes itself as made up of parent advocates with concerns about school safety issues, released a redacted copy of the complaint against New Hanover County Schools with the name of the student and the school marked out. A StarNews request for the official complaint through the Department of Education Office of Civil Rights is pending.

According to the complaint, "these rooms are not being used on children without a disability. They are in place and used as 'environmental controls' rather than evidence-based practices."

Bill Trant, executive director of special education for New Hanover County, said the law, and the seclusion rooms mentioned in it, were not to be used solely for students with disabilities.

"I'm the special ed guy, but this is not a special ed thing," he said. "This is bigger than



Photo by Mike Spencer

Dr. Rick Holliday, assistant superintendent for Support Services, stands in the doorway of the seclusion room at Edwin A. Anderson Elementary School Thursday.



that. This is under safe schools."

Trant said the district has been using seclusion rooms since he started working there in 1995. They're now in all but seven schools in the county. Trant said the district made a major effort to upgrade and align its rooms with the Greenblatt Act when it was passed in 2005. Things like lighting, heating and the latches on the doors were made uniform, Trant said.

The act also broke down how seclusion rooms can be used into two categories. The first part focuses on all students' safety.

"You can use the service if you're looking at some pretty unsafe behaviors that might be occurring, weapons and dangerous objects," Trant said.

The second section of the state law details how schools should handle special education students who could have more predictable aggressive behaviors, Trant said. Each special education student has an individualized education plan, or IEP, that's designed by parents and school representatives. Each IEP includes ways teachers can intervene when a student starts to get agitated. Teachers go through several de-escalation strategies to calm the student down before they use something more extreme, Trant said.

"If all else fails, all these other little steps to try to get to this, there may be an intervention that could include physical restraint or seclusion," he said.

Trant said all staff in the district go through an annual training in how to use de-escalation techniques. There's also a core group of teachers at each school who are trained in physical restraint techniques.

To be a special education teacher in New Hanover County, Trant said, applicants must be licensed teachers with the state. They're not required to be trained in de-escalation techniques.

"Someone with a background in these techniques and training on these things that would be communicated in a resume would be given higher consideration, in terms of being a little bit more qualified," Trant said. "But it's not a minimum requirement that they have this background and training."

There's no federal law about secluding students. But 29 states have laws defining how seclusion or restraint can be used in schools, and those laws remain controversial among some children's advocacy groups. One such group in Middletown, Conn., also filed a complaint with the Office of Civil Rights in January, saying seclusion rooms there were being used only for students with disabilities.

Joseph Ryan is a special education professor at Clemson University who's researched timeout procedures like seclusion.

He's not connected to any complaint or any parents mentioned here. But he said seclusion is the most intrusive type of timeout procedure, and there's no evidence to show that it works.

Ryan said that school administrators often say seclusion rooms are needed to keep students and teachers safe. But he said the transition between classroom to seclusion could make an unsafe situation worse.

"If the child's acting very violently, very physically aggressive, how are you going to get little Joey, who's throwing things, down to that room?"

Instead of calming the student down, Ryan said, "you're actually throwing fuel on the fire."

Ryan said he had seen a variety of cases where students were secluded, "everything from an 18-year-old to a 6-year-old."

"If it's a 6-year-old, I've got to question, does he need to be in a seclusion room?" Ryan said. "Could he walk it off with a paraprofessional?"

Several parents from New Hanover and Brunswick counties formed N.C. Fear Free Education after the complaint was filed against New Hanover County.

Sara Reider, Jennifer Weinzimmer and Heather Winterbottom are all part of the group. They haven't filed formal complaints, but all three have children who have been or could be affected by the Greenblatt Act.

Reider's son Gavin is a second-grader in a special education class in New Hanover County. When he started kindergarten, Reider said, he was restrained and secluded multiple times, events that Reider described as "traumatizing." Reider said Gavin's behavior intervention plan allows for seclusion and restraint to be used if necessary, even though she doesn't agree with it.

"At least now, having it in his plan, I can go to them and say, 'Did you follow all these steps before?'" Reider said.

Reider said she understood the need for the Greenblatt Act. But she didn't understand the repeated use of seclusion or restraint.

"Teachers have to be allowed to jump in and protect students without being sued," she said. "But what we're talking about is the systematic use of it."

Weinzimmer's 6-year-old son, Joshua, has autism. He attended Town Creek Elementary in Winnabow until this fall, when Weinzimmer said he was put in seclusion. Weinzimmer said Josh is "a pretty happy guy" with little aggressive behavior. The day Joshua was secluded, Weinzimmer said he had been moved from one activity to another too quickly, which can trigger a meltdown for him.

"Joshua had what would more appear like a 2-year-old's temper tantrum. He pushed a chair onto the ground, he was stomping his feet, he kicked over a tower of blocks," she said. "(His teachers) thought that that warranted him going into seclusion."

Weinzimmer said she doesn't feel safe taking Joshua back to school.

"I can't even go to the school to return the library books we still have," she said. "He starts sobbing."

Winterbottom's youngest son, who also attends school in Brunswick County, has a severe form of autism. He hasn't been put in seclusion yet, but Winterbottom said his inability to communicate how he feels with words makes it a possibility.

"Behavior is communication. Behavior has a function. You have to find out what the function is and deal with it," she said. "It's usually frustration or attention. Seclusion is not how to deal with either one of those things."

Unless her son is going to hurt himself or someone else, Winterbottom said, she's against seclusion.

"I live with a little boy who can physically hurt me. We've recreated the wheel to deal with a lot of stuff," she said. "Secluding him is never the answer for my kid."

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