



UNITED STATES DEPARTMENT OF EDUCATION
WASHINGTON, DC 20202

January 8, 2025

Dear Governors, Chief State School Officers, Administrators of Lead Agencies, School District Administrators, and Early Childhood Program and School Leaders:

As education leaders, we have a collective responsibility to ensure that all children are educated in learning environments that are safe, supportive, and responsive to their needs. We must keep this responsibility in mind when considering the practices of restraint and seclusion in schools. The U.S. Department of Education (Department) remains concerned that children continue to be subjected to restraint and seclusion practices even though these practices are harmful to children and despite the lack of evidence that these practices are effective strategies to respond to a child's behavior or that these practices reduce the occurrence of behaviors that interfere with learning. The use of restraint and seclusion practices is inconsistent with our shared goal to ensure every child is treated with dignity and free from abuse. The most recent publicly available data shows that more than 50,000 public school students were restrained or secluded in public schools during the 2020-2021 school year.ⁱ

Restraint and seclusion practices can have a lasting and negative impact on children. There is ample evidence of significant harms to students due to these practices, including serious physical injury, emotional trauma, and even death.ⁱⁱ Schools and early childhood programs should do everything possible to align their practices to ensure all children are educated in learning environments that are safe, supportive, and responsive to their unique needs.

Instead of relying on reactive restraint and seclusion practices, it is critical for educators to be given opportunities to learn about and implement positive, proactive practices in schools and early childhood programs and how to effectively support and respond to students' behavioral needs. As described in [previous guidance](#) from the Department, this involves using practices that provide a behavioral framework to support the social, emotional, physical, and mental health needs of students,ⁱⁱⁱ including through the use of multi-tier systems of supports with individualized, targeted, and effective interventions for high-need students. Schools and early childhood programs should implement evidence-based practices^{iv} to foster climates of inclusion, safety, and belonging as an alternative to exclusionary discipline and restraint and seclusion practices.^v

I commend those states and districts that have prohibited the use of seclusion and limited the use of restraint in schools and early childhood programs, and those districts and programs that have committed to implementing evidence-based, responsive, and inclusive practices to support student behavior. The rejection of seclusion and the shift away from reliance on restraint in our

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The Department of Education's mission is to promote student achievement and preparedness for global competitiveness by fostering educational excellence and ensuring equal access.

Nation's schools and early childhood programs is long overdue. We must equip educators and early childhood providers with the positive, proactive, and evidence-based tools and resources to meet the needs of all students. I encourage all States that have not yet done so to invest in providing educators with evidence-based, positive behavior support alternatives that support students and prevent the need to use restraint and seclusion practices, which can be harmful.

The Department has invested \$1 billion through the Bipartisan Safer Communities Act Stronger Connections Grant program for states to award subgrants to high-need local educational agencies to establish safer, healthier, and more inclusive learning environments. The Department also published a guide for schools on how to implement positive, proactive approaches for supporting children with disabilities as an alternative to seclusion and restraint practices and a guide to implement functional behavioral assessments for any student whose behavior interferes with learning. In addition, the Department continues to provide resources to ensure educators and early childhood providers are prepared to respond effectively to students' behavior needs.^{vi} School and early childhood program leaders can both keep their communities—including children and staff—safe while ensuring every child is included, supported, and treated fairly. Our children are depending on us, and the time to act is now.

Sincerely,

/s/

Miguel A. Cardona, Ed.D.
U.S. Secretary of Education

ⁱ See: U.S. Department of Education, Office for Civil Rights, *2020-21 Civil Rights Data Collection: A First Look: Students' Access to Educational Opportunities in U.S. Public Schools*, <https://www.ed.gov/sites/ed/files/about/offices/list/ocr/docs/crdc-educational-opportunities-report.pdf>.

ⁱⁱ Government Accountability Office, *Seclusion and Restraints: Selected Cases of Death and Abuse and Public and Private Schools and Treatment Centers*. GAO-09-719T. <https://www.gao.gov/assets/gao-09-719t.pdf> (Washington, DC: May 19, 2009).

ⁱⁱⁱ U.S. Department of Education, Office of Planning, Evaluation, and Policy Development. *Guiding Principles for Creating Safe, Inclusive, and Fair School Climates*. March 2023. Available at: <https://www.ed.gov/sites/ed/files/policy/gen/guid/school-discipline/guiding-principles.pdf>.

^{iv} See: U.S. Department of Education, Office of Planning, Evaluation, and Policy Development. *Guiding Principles for Creating Safe, Inclusive, and Fair School Climates*. March 2023. Available at: <https://www.ed.gov/sites/ed/files/policy/gen/guid/school-discipline/guiding-principles.pdf>.

^v See: U.S. Department of Education, Office of Special Education Programs. *Positive, Proactive Approaches to Supporting Children with Disabilities: A Guide for Stakeholders*. July 2022. Available at: <https://sites.ed.gov/idea/files/guide-positive-proactive-approaches-to-supporting-children-with-disabilities.pdf>. See also: U.S. Department of Education, Office of Special Education and Rehabilitative Services & Office of Elementary and Secondary Education. See also: *Using Functional Behavioral Assessments to Create Supportive Learning Environments*. November 2024. Available at: <https://sites.ed.gov/idea/files/Functional-Behavioral-Assessments-11-19-2024.pdf>.

^{vi} Resources are available through several Department-funded technical assistance centers, including the National Center on Intensive Intervention, the Center on Positive Behavioral Interventions and Supports, the National Center for Pyramid Model Innovations, and the National Center on Safe Supportive Learning Environments.