

**DATE:** September 24, 2019

**TO:** Board of Trustees

**FROM:** Trustee Shelagh Dunn

**SUBJECT:** Motion re: Involuntary Confinement

**REFERENCE:** [Trustees' Handbook – Section 5.2.2 – Notices of Motion](#)  
[Standards for Seclusion and Physical Restraint in Alberta Schools](#)  
[Standards for Time-Out in Alberta Schools](#)

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## ISSUE

Notice of motion was served at the September 10, 2019, Board meeting.

## BACKGROUND

On Friday, August 22, 2019, the board chairs of the Calgary Board of Education, Calgary Catholic School District, Edmonton Catholic Schools and Edmonton Public Schools released a [joint statement](#) asking the Minister of Education to reconsider the Ministerial Order banning the use of seclusion rooms (Ministerial Order #006/2019).

On August 29, 2019, the Minister of Education repealed this Ministerial Order and put into place a set of interim standards: [Standards for Seclusion and Physical Restraint in Alberta Schools](#) and [Standards for Time-Out in Alberta Schools](#). The interim standards took effect September 1, 2019, and will be in place until October 31, 2019, when new standards will be finalized with input from key partners including Edmonton Public Schools.

This motion is intended to provide Edmonton Public School Board Trustees the opportunity for public discussion and debate on these issues, input to the Minister in creating a set of finalized standards, and advocacy for supports needed in order to work towards an end to the practice of involuntary confinement.

## DEFINITIONS:

The current interim standards provide definitions for seclusion, time-out, exclusionary time out, and differentiate between these practices and other reasons a student may be in a separate area of a classroom or school:

- **Seclusion** is “the involuntary confinement or isolation of a person, alone in a room or area from which the person cannot freely exit or is physically prevented from leaving. This generally occurs in a room with a door that has a lock. The lock may be engaged, or if not engaged, the door is otherwise blocked or held shut.” (page 9, Standards for Seclusion and Physical Restraint)
- **Time-out** is “a shortened form of a behavioural management strategy known as time-out from positive reinforcement. It is a behavioural intervention that involves reducing or limiting the amount of reinforcement that is available to an individual for a brief period of time in order to decrease or stop a predefined challenging behaviour.” (page 8, Standards for Time-Out)
- **Exclusionary time-out** is the practice of “removing the child/student from the reinforcing activity to another fully or partially enclosed part of the immediate instructional setting or to

another supervised location within the school (for example, the library, the principal's office, counsellor's office, another classroom or a dedicated time-out room), provided other sources of reinforcement are not available in these locations. The child/student is not allowed to participate in or observe the reinforcing activity" (page 11, Standards for Time-Out).

- **These practices are not** the same as other reasons that a student may be in a separate area of the classroom or school, such as when a distraction-free environment is needed, or when a student requests to be in a separate area in order to provide a calming space to self-regulate their behaviour (e.g., a sensory room or calming room).

#### RELATED INFORMATION:

Creating standards and accountability for seclusion, restraint and time-out practices is necessary and needed, and Edmonton Public Schools has an important voice while the province gathers input from key stakeholders.

This discussion is important because of the ethical issues related to seclusion and restraint including questions of human rights and the potential for injury<sup>1</sup>. Local advocacy groups such as [Inclusion Alberta](#) have also raised concerns about the use of these practices and the emotional impact on students.

It is important to have clear direction that seclusion rooms are not used as punishment, discipline, or behaviour management technique and are only to be used as a last resort in emergency situations. This direction is clear in the interim Standards for Seclusion and Physical Restraint in Alberta Schools and is specified in the new regulation created by our administration, [District Seclusion Rooms](#), on the use of seclusion rooms in a crisis situation.

However, clarity is needed for the use of time-out. In particular, the reference to the use of dedicated time-out rooms in the Standards for Time-Out in Alberta Schools could create the potential for an experience of involuntary confinement, even without a lock on the door. This is because the direction of an adult in authority may be enough to prevent a student from feeling that they have the option to refuse entry to the room or leave the room if needed.

It is also important to acknowledge that placing restrictions on the use of these rooms and logging their use is not enough. While it may be possible to log individual use of a seclusion room, the issue is not only individual, it is systemic. We need to work towards a system where these rooms are not needed or used.

Teachers, principals and educational assistants in this province are working hard to meet the needs of their students in diverse and complex classrooms. But educators cannot have training and expertise in all areas and need training and support from trained professionals in implementing positive behavioural supports for students.

Parents and families are working extremely hard to meet the needs of their children and advocate on their behalf, and the education system must be able to collaborate effectively with needed programs in health care, mental health, and family and community services. It is important to work towards a better-funded system of increased collaboration between health and social supports for students, and cross-ministry collaboration in implementing these supports.

Increased and adequate funding is needed to meet the needs of students who need specialized supports. This includes opportunities for training for teachers and staff, and increased access to funded specialists to assist in understanding and assessing student behaviour, communication, and well-being in order to implement effective interventions before a crisis is reached.

#### RECOMMENDATION

1. **That the Edmonton Public School Board advocate to the Minister of Education that involuntary confinement (seclusion rooms and time-out rooms) is not used as a punishment or behaviour management technique, and is only used as a last resort in emergency situations endangering the physical safety of students or staff.**
2. **That the Edmonton Public School Board advocate to the Minister of Education for the systemic changes needed to work towards a system where these rooms are no longer needed or used, through:**
  - **Increased cross-ministry collaboration to serve students with disabilities and mental health concerns**
  - **Increased and adequate funding for students in need of specialized support**
  - **Increased funding for staff training in positive behaviour supports and increased funding for regulated specialists to work with teachers and educational assistants**

#### OPTIONS

1. Approve the recommendations.
2. Provide feedback and request changes to the recommendations for approval.

#### NEXT STEPS

Upon approval of Recommendation 1, a letter will be sent to the Minister of Education with the board position that involuntary confinement (in a seclusion room or dedicated time-out room) should not be used as punishment or a behaviour management technique, and should only be used in a last resort in emergency situations endangering the physical safety of students or staff.

Upon approval of Recommendation 2, the letter will advocate for needed changes to our current system of health, education and social services so that involuntary confinement in school is no longer needed or used by: 1) increasing cross-ministry collaboration to serve students with disabilities and mental health concerns, 2) increased and adequate funding for students in need of specialized support, and 3) increased funding for staff training in positive behaviour supports and increased funding for regulated specialists to work with teachers and educational assistants.

<sup>1</sup>Scheuermann, B., Peterson, R., Ryan, J. B., & Billingsley, G. (2016). Professional practice and ethical issues related to physical restraint and seclusion in schools. *Journal of Disability Policy Studies*, 27(2), 86-95.