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Deborah S. Delisle, Superintendent of Public Instruction

February 8, 2011

Susan G. Tobin  
Chief Legal Counsel  
Ohio Legal Rights Service  
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Columbus, OH 43215

Margaret Burley  
Executive Director  
Ohio Coalition for the Education of Children with Disabilities  
165 W. Center Street, Suite 302  
Marion, OH 43302

Re: Ohio Policy on Restraint and Seclusion Practices

Dear Ms. Tobin and Ms. Burley:

Thank you for your letter dated January 6, 2011, regarding the Ohio Department of Education's (ODE's) plans to implement the State of Ohio Policy on Restraint and Seclusion Practices ("the Policy"). The Policy was developed by an interagency task force coordinated by Pam Berry, Senior Policy Analyst for the Ohio Department of Developmental Disabilities. While the Policy is dated May 17, 2010, ODE was not notified that the Governor's executive staff had approved the policy until late November 2010. At that time, ODE was informed that the Policy would be forwarded to Governor-Elect Kasich's transition team with a recommendation that it be officially enacted via an Executive Order. To date, there has been no further update on the status of the Policy.

ODE has already begun the process of implementing a policy on restraint and seclusion by working with the State Board of Education to insert a placeholder provision that refers to the Executive Order on Prone Restraint in Rule 3301-35-06 in the *Operating Standards for Ohio's Schools*. This addition has been approved by the State Board of Education.

Now that the Policy is finalized, ODE intends to work with the State Board of Education to incorporate its provisions into the Ohio Administrative Code as part of the Operating Standards. The rule amendments will address tracking and reporting of incidents involving restraint and seclusion, as well as training, in accordance with the Policy.

Thank you both for the important work that you do on behalf of Ohio's school children. I am sure that the regional trainings that you developed and provided were a valuable service to both educators and parents. I hope that you will be pleased to learn that ODE