



We have the legal right of way.

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## ABUSE AND NEGLECT: Reporting Restraint and Seclusion in Schools

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In January 2013, the Ohio Department of Education adopted its Policy on Positive Behavior Interventions and Support, and Restraint and Seclusion. The policy and Ohio Administrative Code 3301-35-15 prohibit certain forms of restraint and locked seclusion, but allow physical restraint or unlocked seclusion when the student poses an immediate risk of physical harm to self or others and no other safe intervention is available. The rule requires schools to notify parents in writing every time their child is restrained or secluded, and to investigate complaints by parents about restraint or seclusion.

When a child is restrained or secluded at school, parents often wonder where they can go for help if they are not satisfied with the school's response. Unfortunately, the rule on restraint and seclusion does not include a process for filing complaints or requesting investigations by the Ohio Department of Education when a child is hurt or a school violates the rule. This guide provides information about the local, state, or federal agencies that can respond to reports of improper restraint or seclusion.

### Where can I file a complaint?

#### PUBLIC CHILDREN SERVICES AGENCY

**Population Served:** Children under age 18, or under age 21 if the child has a disability.

**Contact Information:** Find your county's children services agency here <http://www.pcsao.org/membership/agency-directory>

**Details:** Children Services agencies can investigate abuse and neglect of children, even if the abuse occurred in a school.

#### COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

**Population Served:** Individuals with developmental disabilities

**Contact Information:** Find your county's board of developmental disabilities here <http://dodd.ohio.gov/CountyBoards/CNT/Pages/default.aspx>



**Details:** County boards of developmental disabilities have major unusual incident (MUI) investigation units that investigate abuse and neglect of individuals with developmental disabilities.

## OHIO DEPARTMENT OF DEVELOPMENTAL DISABILITIES (DODD)

**Population Served:** Individuals with developmental disabilities

**Contact Information:** Call the Abuse/Neglect Hotline at 1-866-313-6733 or submit an online complaint at <https://ocf.prodapps.dodd.ohio.gov/>

**Details:** DODD oversees investigations of major unusual incidents (MUIs) by county boards of developmental disabilities. If you are not sure which county should investigate, you can report abuse or neglect to DODD by phone or through the online complaint form.

## OHIO DEPARTMENT OF EDUCATION (ODE)

**Population Served:** Students in Ohio schools

**Contact Information:** File a complaint with the Office of Professional Conduct, <http://education.ohio.gov/getattachment/Topics/Teaching/Educator-Conduct/Educator-Professional-Conduct-Forms/Citizen-Reporting-Form.pdf.aspx>

**Details:** ODE's Office of Professional Conduct investigates complaints about educators if the complaints involve criminal convictions or conduct unbecoming the teaching profession. The State Board of Education can take disciplinary action.

## U.S. DEPARTMENT OF EDUCATION

**Population Served:** Students in public or private schools that receive federal funding from the U.S. Department of Education

**Contact Information:** File a complaint with the Office for Civil Rights, <https://ocrcas.ed.gov/> or <https://www2.ed.gov/about/offices/list/ocr/complaintform.pdf>. More information is available at <https://www2.ed.gov/about/offices/list/ocr/index.html>.

**Details:** The U.S. Department of Education's Office for Civil Rights investigates complaints of discrimination by public or private schools that receive federal funding. Complaints must be filed within 180 days of the discriminatory act.

## LOCAL LAW ENFORCEMENT

**Population Served:** Victims of crimes

**Contact Information:** Find your local law enforcement agency here: <http://www.ohioattorneygeneral.gov/Law-Enforcement/Law-Enforcement-Directory/Printable-Law-Enforcement-Directory/Printable-Law-Enforcement-Directory-Chiefs>

**Details:** If your child is harmed by improper restraint or seclusion, it may be a crime. You can file a police report to request investigation of the incident.

## You may also want to contact

### STATE LEGISLATORS

**Population Served:** Ohio residents

**Contact Information:** Find your representative or senator here: <https://www.legislature.ohio.gov/legislators/find-my-legislators>

**Details:** To advocate for changes to Ohio's laws on restraint and seclusion in schools, contact your local representative or senator.

### DISABILITY RIGHTS OHIO

**Population Served:** Ohio residents with disabilities

**Contact Information:** You can reach Disability Rights Ohio by phone at 614-466-7264 or 1-800-282-9181 or online at [www.disabilityrightsohio.org](http://www.disabilityrightsohio.org).

**Details:** Disability Rights Ohio provides information about rights and advice about how parents can advocate for their children. In some cases, Disability Rights Ohio advocates and attorneys can assist parents by advocating with school officials or can investigate abuse related to restraint and seclusion.