

KENTUCKY DEPARTMENT OF EDUCATION (KDE) STAFF NOTE

Topic: Certification of 704 KAR 7:160

Date: June 2026

Action Requested: Review Action/Consent Action/

Held In: Full Board State Schools United We Learn

SYNOPSIS OF WHAT YOU WILL BE SHARING:

The Kentucky Department of Education (KDE) requests action to certify the following administrative regulation to avoid expiration:

704 KAR 7:160, Use of physical restraint and seclusion in public schools.

COMMISSIONER'S RECOMMENDATION:

The Commissioner recommends approval of the certification of 704 KAR 7:160.

APPLICABLE STATUTE OR REGULATION:

KRS 13A.3102 and KRS 13A.3104

BACKGROUND:

Existing Policy:

Pursuant to KRS 13A.3102 and KRS 13A.3104, 704 KAR 7:160 will expire in December unless the Kentucky Board of Education takes action to certify this administrative regulation.

Summary of Issue:

704 KAR 7:160 establishes the requirements for the use of physical restraint and seclusion in public schools in Kentucky. It aims to ensure the safety and welfare of students and school personnel while providing clear guidelines on when and how these practices can be used. The regulation requires districts to establish policies and procedures for the use of physical restraint and seclusion in schools and the district. The Kentucky Department of Education provides several resources for districts.

The Office of Special Education and Early Learning (OSEEL) Behavior Resources:

- The [Training Series on Physical Restraint and Seclusion Regulations](#) (January 2026) provides guidance on the legal requirements for the use of physical restraint and seclusion in public schools, supporting the safety and well-being of students and school personnel while strengthening understanding of regulatory responsibilities.
- [Effective Classroom Strategies for Students with Disabilities Video Series](#) is a series of 12 videos developed to provide teachers with strategies to create a supportive classroom environment for all learners. Topics include using visual supports, calming practices, supportive behaviors on the bus and more.
- [Strategies for De-escalating Student Behavior in the Classroom Video](#) supports educators in addressing challenging student behaviors by offering practical guidance grounded in Positive Behavioral Interventions and Supports (PBIS). It was developed to complement [guidance from the Center on PBIS](#) and emphasizes proactive, classroom-based responses that promote student safety and support.
- OSEEL's Early Learning Unit supports the use of the [Pyramid Model Framework](#) in state-funded preschool classrooms with intensive and targeted support from the Early

Childhood Regional Training Centers (RTC). The Pyramid Model is a framework of evidence-based practices for promoting young children’s healthy social and emotional development.

Additional Resources Provided through OSEEL’s Technical Assistance Network:

- [Center for Instructional and Behavioral Research in Schools \(CIBRS\) Positive Behavior Interventions and Support Video Modules](#)
 - Playlist of eight videos on preventing restraint and seclusion with PBIS
 - Playlist of eight videos on PBIS framework and Tier 1

Office of Continuous Improvement and Support (OCIS) Resources:

PBIS is an evidence-based, tiered framework for supporting students’ behavioral, academic, social, emotional and mental health. When implemented with fidelity, PBIS improves social-emotional competence, academic success and school climate.

- The [Physical Restraint and Seclusion in Public Schools](#) website includes:
 - [Request for assistance and/or training](#) from the Division of Student Success
 - The OCIS [Social, Emotional and Behavioral Learning/Health](#) webpage provides supports, video series, free activity banks and evidence-based curricula to assist in SEL and mental health for students.
 - The OCIS [Bullying and Harassment](#) website provides information to assist students, parents or guardians, educators and community members on the topic of bullying.

KDE has reviewed 704 KAR 7:160 in its entirety for compliance with the current law governing the subject matter of the administrative regulation and recommends that it remain in effect without amendment. A copy of the regulation has been attached for reference.

Budget Impact:

This action does not impact the budgets of KDE or local school districts.

Groups Consulted and a Brief Summary of Responses:

KDE’s Office of Special Education and Early Learning reviewed the above administrative regulation and determined that no substantive amendments are necessary.

CONTACT PERSON(S):

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Commissioner of Education

GOALS/PRIORITIES: Indicate all applicable options.

<input type="checkbox"/> Foster Educational Innovation Through Vibrant Learning Experiences
<input type="checkbox"/> Advance Educational Excellence Through Continuous Professional Improvement
<input type="checkbox"/> Cultivate Collaborative Partnerships
<input type="checkbox"/> Legislation

