

South Central Area Special Education Cooperative

Policy on Seclusion and Physical Restraint

Behavioral interventions for children must ensure the right of all children to be treated with dignity and respect. All children have the right to be free from physical or mental abuse, aversive behavioral interventions that compromise health and safety, and any physical seclusion or restraint imposed solely for purposes of discipline or convenience.

Seclusion or restraint shall not be used as routine school safety measures; that is, they shall not be implemented except in situations where a child's behavior or action poses imminent danger of physical harm to self or others and not as a routine strategy implemented to address instructional problems or inappropriate behavior (e.g., disrespect, noncompliance, insubordination, out of seat), as a means of coercion or retaliation, or as a convenience. Any use of either seclusion or restraint shall be supervised, short in duration and used only for the purposes of de-escalating the behavior.

Seclusion and physical restraint shall be used only as means of maintaining discipline in schools (that is, as means of maintaining a safe and orderly environment for learning) and only to the extent that they are necessary to preserve the safety of students and others. Neither seclusion nor physical restraint shall be used in administering discipline to individual students, i.e., as a form of punishment. Nothing in this Policy shall be construed as regulating the restriction of students' movement when that restriction is for a purpose other than the maintenance of an orderly environment (e.g., the appropriate use of safety belts in vehicles).

USE OF PHYSICAL RESTRAINT

“Physical restraint” means holding a student or otherwise restricting his or her movements. “Physical restraint” as permitted in this policy includes only the use of specific, planned techniques (e.g., the “child control position” and “team control”). The primary purpose of restraint is to maintain the safety, security, care, and welfare of students and school staff.

- A. Restraint shall only be used when a student is displaying physical behavior that presents substantial imminent risk of injury to the student or others.
- B. Restraint shall only be employed as a last resort after other methods of de-escalating a dangerous situation have been attempted without success.
- C. Restraint shall only be employed by staff members who have received crisis intervention training by the school in the use of restraint procedures with the following exceptions:
 1. Other school personnel may employ restraint procedures only in rare and clearly unavoidable emergency circumstances when fully trained school personnel are

not immediately available. Untrained staff shall request assistance from trained staff as soon as possible.

2. Restraint of a student shall be conducted in a manner consistent with the techniques prescribed in crisis intervention training program.

- D. Restraint shall last only as long as is necessary for the student to regain behavioral stability, and the risk of injury has ended, usually a matter of minutes.

Whenever an episode of physical restraint exceeds 15 minutes, or repeated episodes have occurred during any 3 hour period, the following follow-up activities must occur:

- 1) A certified staff person trained in the use of physical restraint shall evaluate the situation.
- 2) The evaluation shall consider the appropriateness of continuing the procedure in use, including the student's potential need for medication, nourishment, or use of a restroom, and the need for alternate strategies (e.g., assessment by a mental health crisis team, assistance from police, or transportation by ambulance).
- 3) The results of the evaluation shall be committed to writing and copies of this documentation shall be placed into the student's temporary student record and provided to the building administrator.

- E. The degree of restriction employed must be in proportion to the circumstances of the incident, the size and condition of the student, and the potential risks for injury to the student.

- F. Mechanical or chemical restraints are not authorized in school.

- G. Prone or Supine forms of restraint are not authorized and shall be avoided.

- H. Seclusion or restraint shall never be used in a manner that restricts a child's breathing or harms the child

- I. Every instance in which seclusion or restraint is used shall be carefully, continuously and visually monitored to ensure the appropriateness of its use and safety of the child, other children, teachers, and other personnel

- J. Any application of physical restraint shall take into consideration the safety and security of the student. Further, physical restraint shall not rely upon pain as an intentional method of control.

- K. In determining whether a student who is being physically restrained should be removed from the area where such restraint was initiated, the supervising adult(s) shall consider the potential for injury to the student, the student's need for privacy, and the educational and emotional well-being of other students in the vicinity, and as applicable, any requirements pursuant to a behavior intervention plan or Individual Education Plan (IEP).
- L. If physical restraint is imposed upon a student whose primary mode of communication is sign language or an augmentative mode, the student shall be permitted to have his or her hands free of restraint for brief periods, unless the supervising adult determines that such freedom appears likely to result in harm to the student or others.
- M. Debriefing: Following each incidence of physical restraint, the individuals involved in the restraint should meet to debrief about what happened that resulted in the use of restraint. In addition, once the student has calmed down and regained control, the student should also be debriefed about the incident.

When Restraint Procedures Shall Not Be Employed

- A. Restraint shall not be used unless there is imminent risk of injury to someone by the student.
- B. A verbal threat, profanity, or verbally aggressive behavior does not itself indicate an imminent risk of injury, and shall not result in restraint.
- C. Destruction or damage to property does not constitute a risk of imminent injury unless in so doing a risk of injury to the student or others is created.
- D. When known medical or physical condition of the student would make the restraint procedures dangerous for that student (e.g. students with heart or circulatory conditions, asthma, etc.) they shall not be employed.
- E. Restraint shall never be used as a punishment, or to force compliance with staff commands.

Please Note: *“Restraint” does not include spontaneous occurrences of physical restriction by direct person-to-person contact involving trained or untrained staff (without the aid of material or mechanical devices) accomplished with limited force and designed to:*

- 1) *prevent a student from completing an act that would result in potential physical harm to himself, herself, or another or damage to property; or*

- 2) *remove a disruptive student who is engaging in harmful behavior and is unwilling to leave the area voluntarily.*
- 3) *For example: a student attacks another student in the hallway and the custodian and a teacher jump in to pull the student off of the one being attacked and remove that student to safe place. Another example: a student is running out the front door of the school building and a teaching assistant grabs the student so that they do not run out into the street.*

Time-Out

Time-out is a behavior reduction procedure in which access to reinforcement is withdrawn for a certain period of time. Time-out occurs when the ability of a student to receive normal reinforcement in the school environment is restricted. Time-out shall be both developmentally and behaviorally appropriate and shall be short in duration.

Requirements for Training

- 1) Physical restraint shall be applied only by individuals who have received systematic training that includes all the elements described in this Section and who have received a certificate of completion or other written evidence of participation within the preceding two years. An individual who applies physical restraint shall use only techniques in which he or she has received such training.
- 2) Training with respect to physical restraint may be provided either by the employer or by an external entity and shall include, but need not be limited to:
 - i) appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior, relationship-building, and the use of alternatives to restraint;
 - ii) a description and identification of dangerous behaviors on the part of students that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
 - iii) the simulated experience of administering and receiving a variety of physical restraint techniques, ranging from minimal physical involvement to very controlling interventions;

- iv) instruction regarding the effects of physical restraint on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
 - v) instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and
 - vi) demonstration by participants of proficiency in administering physical restraint.
- 3) An individual may provide training to others in a particular method of physical restraint only if he or she has received written evidence of completing training as a trainer in these techniques.

USE OF SECLUSION

Seclusion means the confinement of a student in a time-out room or some other enclosure, whether within or outside the classroom, from which the student's exit is restricted.

- A. Seclusion shall only be used when a student is displaying physical behavior that presents substantial imminent risk to the student or others, and the threat could be diminished if the student was in a safe environment away from other students and staff.
- B. Seclusion shall only be employed as a last resort after other methods of de-escalating a dangerous situation have been attempted.
- C. Seclusion shall only be used as long as necessary and shall be discontinued when the student is no longer an imminent threat to others.
- D. Seclusion shall only be employed by staff members who have received specific approved crisis intervention training in the use of seclusion procedures.
- E. Seclusion must be used only when the student can safely be transported to the seclusion environment by trained staff members using appropriate techniques based on crisis intervention training.
- F. An adult who is responsible for supervising the student shall remain within three feet of the enclosure and be able to visually monitor the student at all times.
- G. Time Limits: A student shall not be kept in seclusion for more than 30 minutes after he or she ceases presenting the specific behavior for which isolated time out was imposed or any other behavior for which it would be an appropriate intervention. If a student is placed in seclusion pursuant to a BIP or IEP, any time limitations identified in the BIP and IEP will take precedence.

Whenever an episode of seclusion exceeds 30 minutes, or repeated episodes have occurred during any three- hour period, the following follow-up activities must occur:

- 1) A certified staff person knowledgeable about the use of seclusion shall evaluate the situation.
- 2) The evaluation shall consider the appropriateness of continuing the procedure in use, including the student's potential need for medication, nourishment, or use of a restroom, and the need for alternate strategies (e.g., assessment by a mental health crisis team, assistance from police, or transportation by ambulance).
- 3) The results of the evaluation shall be committed to writing and copies of this documentation shall be placed into the student's temporary student record and provided to the building administrator.

H. Time out procedures that do not constitute seclusion are permitted in school.

I. All seclusion environments shall be inspected and shall:

1. Be of reasonable size to accommodate the student and at least one adult.
2. Be of reasonable size to permit students to lie or sit down.
3. Have adequate ventilation including heat and air conditioning as appropriate.
4. Have adequate lighting.
5. Be free of any potential or predictable safety hazards such as electrical outlets, equipment, and breakable glass.
6. Permit direct continuous visual and auditory monitoring of the student.
7. Permit automatic release of any locking device if fire or other emergency in the school exists.
8. If locked, shall be automatically released after five minutes or with any building wide alarm (such as fire, tornado or code red alarm).
9. Shall meet current fire and safety codes.

When Seclusion Shall Not Be Employed

A. When the substantial imminent risk of injury no longer exists.

B. When known medical or physical condition of the student would make the seclusion procedures dangerous for that student (e.g. students expressing suicidal thoughts, students with heart or circulatory conditions, asthma, or other conditions).

C. Seclusion shall never be used unless a staff member can continuously monitor the student for visual or auditory signs of physiological distress, and can communicate with the student.

1. Students shall be permitted to use the restroom upon request, and be escorted to and from the restroom.
 2. Students shall be provided water on request.
- D. Seclusion shall never be used as a punishment, or to force compliance with staff commands

Requirements for Training:

- A. The School will provide all staff members with basic training about conflict de-escalation procedures, the dangers of seclusion and restraint, and procedures for contacting fully trained and certified staff when behavioral crises occur.
- B. This training will be recurrent and will be provided to new staff.
- C. The School will determine a specific curriculum and method of providing training related to seclusion or restraint.
- D. A core group of appropriate personnel will be trained in each building in crisis intervention techniques which will include the use of seclusion and restraint procedures.
- E. Recurrent training will be provided on a regular basis at least annually.

Notification to Parents

- 1) A school that uses seclusion or physical restraint shall notify parents to this effect as part of the information distributed annually or upon enrollment and in the student handbook.
- 2) Within 24 hours after any use of seclusion or physical restraint, the school district or other entity serving the student shall send written notice of the incident to the student's parent(s). Such notification shall include the student's name, the date of the incident, a description of the intervention used, and the name of a contact person with a telephone number to be called for further information.
- 3) All student handbooks shall include a statement similar to this:

As a part of the emergency procedures in place in our schools, no student will be restrained and/or placed in seclusion by school staff unless the student's behavior poses an imminent risk of injury to him/herself or others. However, significant violations of the law including assaults on students and staff will be reported to the police. As soon as possible after any such use of restraint and/or seclusion, the parents or guardian will be informed when any of these actions have occurred and will be provided with a detailed account of the incident including the circumstances that led to the use of restraint and or seclusion.

Documentation and Debriefing

- A. Immediately after the student has restored emotional and behavioral control following the use of restraint and/or seclusion, a staff member not involved with the incident shall examine the student to ascertain if any injury has been sustained during the seclusion or restraint.

- B. The building administrator or designee will verbally notify the parent/guardians as soon as possible (no later than the end of the school day in which the seclusion or restraint occurs).
 - 1. The Principal or designee will update the parent/guardian on the student's current physical and emotional state and
 - 2. Will discuss strategies to assist the parent/guardian in dealing with any residual effects of the incident.

- C. **Incident Report**
 - 1. Staff involved in the use of seclusion or restraint will contribute in an "Incident Report" as soon as practical after the use of seclusion or restraint.
 - 2. The building administrator or designee will send a copy of the written report to the parent or guardian documenting the use of seclusion or restraint, and will place a copy of the report in the student's confidential file.
 - 3. A copy of the incident report shall also be sent to a designated administrator.

- D. A minimum of the following will be included in the incident report created after each instance of restraint or the use of seclusion:
 - 1. The student's name;
 - 2. The racial/ethnic status of the student;
 - 3. The date and time of the incident;
 - 4. The duration of any seclusion or restraint; or the beginning and ending times of the restraint and/or seclusion;
 - 5. A description of any relevant events leading up to the incident;
 - 6. A description of any interventions used prior to the implementation of seclusion or restraint;
 - 7. A description of the incident and/or student behavior that resulted in implementation of seclusion or restraint including a description of the danger of injury which resulted in the seclusion or restraint
 - 8. A log of the student's behavior during seclusion or restraint, including a description of the restraint technique(s) used and any other interaction between the student and staff;
 - 9. A description of any injuries (to students, staff, or others) or property damage;
 - 10. A description of the planned approach to dealing with the student's behavior in the future;
 - 11. A list of the school personnel who participated in the implementation, monitoring, and supervision of seclusion or restraint and whether they had training related to seclusion or restraint;
 - 12. The date and time on which the parent or guardian was notified;

13. If the student has a disability (IDEA or Section 504), the type of disability.
- E. Further, it is expected that each staff member involved in an incident will engage in a debriefing or processing session(s) in order to determine what could have been done to prevent the future need for use of seclusion or restraint for this student specifically and for other students in similar situations.
1. Components to be included in this session are outlined in the Staff Processing of Seclusion or restraint Form.
 2. The supervisor will provide support to the staff member and determine when the staff member shall return to his or her duties.
 3. The student, with assistance from staff, will process the event at the earliest appropriate time.
 4. The staff member's supervisor or designee shall complete and file the form.

Annual Review, Planning Process and Oversight

- A. A school corporation administrator (or designee) will be designated as the coordinator of data, planning and oversight of the use of seclusion or restraint procedures in the school corporation.
- B. The school corporation shall establish a Committee or use a standing committee to conduct an annual review of all individual and program-wide data associated with this policy. The Committee shall review the following components related to the use of restraint:
1. incident reports;
 2. procedures used during restraint, including the proper administration of specific school corporation approved restraint techniques;
 3. preventative measures or alternatives tried, techniques or accommodations used to avoid or eliminate the need of the future use of restraint;
 4. documentation and follow up of procedural adjustments made to eliminate the need for future use of restraint;
 5. injuries incurred during a restraint;
 6. notification procedures;
 7. staff training needs;
 8. specific patterns related to staff or student incidents;
 9. environmental considerations, including physical space, student seating arrangements, and noise levels.
- C. Upon review of the data, the Committee shall identify any issues and/or practices that require further attention and provide written recommendations to the Superintendent of Schools for changes in policies or practices.
- D. The Committee can recommend review of the training program to ensure the most current knowledge and techniques are reflected in the school corporation's training curriculum.

Students with Disabilities

The utilization of seclusion or physical restraint with a student with disabilities may be precluded by or subject to additional parameters pursuant to the students individualized education plan (IEP) and/or behavior intervention plan (BIP).

Nothing in this policy should be construed to limit the rights and abilities of teachers and school staff to keep order and administer necessary discipline to their classrooms and on school grounds, especially those powers and immunities found in IC 20-33-8.

BOARD APPROVED: April 23, 2014