



Book	Policy Manual
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Title	USE OF SECLUSION AND RESTRAINT WITH STUDENTS
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5630.01 - USE OF SECLUSION AND RESTRAINT WITH STUDENTS

It is the policy of the School Board that all students are to be treated with dignity and respect and to be free from abuse. The Board supports the promotion and training of appropriate student behavior as part of the Corporation's curriculum. It is the policy of the Board to use prevention, positive behavior intervention and support, and conflict de-escalation to minimize the need for restraint and eliminate the need for seclusion with students. This policy applies to all students, regardless of the existence of a disability.

General Guidelines

Any behavioral interventions must be consistent with a student's right to be treated with dignity and respect and to be free from abuse.

Any behavioral intervention used must be consistent with the student's most current individualized education program (IEP) and with the student's behavior intervention plan (BIP), if applicable.

Every effort must be made to eliminate or minimize the need for the use of restraint with a student, including the use of prevention, positive behavior intervention and support, and conflict de-escalation prior to the use of restraint, except in the case of an emergency, as defined below.

Restraint are to be used only: 1) as a last resort safety procedure employed after another, less restrictive procedure has been implemented without success; and 2) when there is an imminent risk of injury to the student, other students, school employees, or visitors to the school.

Restraint may be used only for a short period of time or until the imminent risk of injury has passed. Any instance of restraint must be documented as indicated below.

The School Corporation will not designate or utilize any rooms or areas in any school buildings for the seclusion of students.

Seclusion refers to the involuntary confinement of a student alone in a room or area. It includes the use of any room or area in which a student is confined alone regardless of its name (including time-out rooms, break rooms, reset rooms, quiet areas, or think-about-it spots). It does not refer to any location where the school authorizes a student to go to voluntarily to engage in calming or de-escalating behavior.

If an instance of Seclusion occurs, it must be documented as indicated below.

A student's parent or guardian must be verbally notified of the incident involving the student that includes the use of seclusion or restraint by the end of the school day, and a copy of the incident report must be sent to the student's parent or guardian within two school days.

Regular training of appropriate school employees/staff members on the proper use of effective alternatives to seclusion and physical restraint and the safe use of physical restraint in situations involving imminent danger or serious harm to the student, school employees, or others is required, as indicated below.

Restraint must not be used as a means of punishment or discipline, coercion or retaliation, or as a matter of convenience.

Restraint must never be used in a manner that restricts a child's breathing.

The student must be monitored by a staff member at all times during the use of restraint to ensure the appropriateness of its use and the safety of the student or others.

Use of Seclusion

The use of seclusion with a student shall not be permitted.

The School Corporation will not designate or utilize any rooms or areas in any school buildings for the seclusion of students.

Seclusion refers to the involuntary confinement of a student alone in a room or area. It includes the use of any room or area in which a student is confined alone regardless of its name (including time-out rooms, break rooms, reset rooms, quiet areas, or think-about-it spots). It does not refer to any location where the school authorizes a student to go to voluntarily to engage in calming or de-escalating behavior.

Time-out procedures that do not constitute seclusion, as defined above, are permitted in school. A time-out must be both developmentally and behaviorally appropriate and must be short in duration.

Use of Restraints

The use of restraint with a student shall not be permitted except when the conditions described in this policy exist. The use of restraint with a student with a disability also is subject to any conditions in the student's IEP and any BIP established for the student in addition to the conditions established in this policy.

- A. Restraint may be used only when a student is displaying behavior that presents an imminent risk of injury to the student or others.
- B. Restraint may be used only as a last resort safety procedure after a less restrictive procedure has been implemented without success.
- C. Restraint may be employed only by staff members who have received crisis intervention training by the school in the use of restraint procedures with the following exception: other school personnel may employ restraint procedures in an emergency, as defined below, when fully trained school personnel are not immediately available. Untrained staff must request assistance from trained staff as soon as possible.
- D. Restraint may 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.
- 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 restraints and chemical restraints are not authorized in school.
- G. Prone (face down on a horizontal surface) physical restraints are not authorized and must be avoided.
- H. Restraint must never be used in a manner that restricts a child's breathing.
- I. Every instance in which restraint is used must be carefully, continuously and visually monitored to ensure the appropriateness of its use and safety of the student, other students, teachers, and other personnel.
- J. A verbal threat or verbally aggressive behavior does not itself constitute an imminent risk of injury and does not warrant the use of restraint.
- K. Destruction of or damage to property does not constitute an imminent risk of injury warranting the use of restraint unless in the course of such behavior a risk of injury to the student or others is created.
- L. Restraint may not be used when the student's known medical or physical condition would make the use of restraint dangerous for that student.
- M. Restraint must never be used as a means of punishment or to force compliance with staff commands.

Documentation and Recording Requirements

An Incident Report will be completed by the teacher(s) initiating the restraint and/or seclusion.

The building administrator or designee verbally must notify the student's parent or guardian of the use of seclusion or restraint as soon as possible following the incident but no later than the end of the school day in which the seclusion or restraint occurred.

Immediately after the student has regained emotional and behavioral control following the use of seclusion or restraint, a staff member not involved with the incident must ascertain if the student has sustained any injury during the seclusion or restraint and document such injury or the lack thereof in the Incident Report referenced below. If the student has sustained an injury, the staff member must seek appropriate treatment of the student for the injury.

Staff will assist the student to process the event at the earliest appropriate time after the student has regained emotional and behavioral control.

Staff, including School Resource Officers (SROs), involved in the use of seclusion or restraint must complete an "Incident Report and submit it to the Intervention Coordinator for review within one school day after the use of seclusion or restraint. The following data should be included in the incident report if known:

- A. the student's name
- B. the date and time of the incident
- C. a list of each physical restraint used during the incident and the time each began and ended
- D. a description of any relevant events leading up to the incident
- E. a description of any interventions used prior to the implementation of the seclusion or restraint
- F. a list of all de-escalation techniques used or other actions taken prior to the use of physical restraint
- G. a description of the student behavior that resulted in implementation of seclusion or restraint, including a description of the imminent risk of injury which resulted in use of the seclusion or restraint
- H. a log of the student's behavior during the seclusion or restraint, including a description of any restraint technique(s) used and any other interaction between the student and staff
- I. a description of any injuries (to the student, other students, staff, or others) or property damage
- J. a description of the approach planned for dealing with the student's behavior in the future
- K. a list of the school personnel who participated in the implementation, monitoring, supervision, and the role each staff member played in the seclusion or restraint and whether they had training related to seclusion or restraint
- L. the date and time on which the parent or guardian was notified of the seclusion or restraint
- M. if the student has a disability (IDEA or Section 504), the type of disability
- N. an account of what was discussed during the staff, student, and parent/guardian debriefs of the incident, and the results of each debrief.

The building administrator or designee must send a copy of the incident report to the parent or guardian and place a copy of the report in the student's confidential file within two school days.

The building administrator or designee also must send a copy of the Incident Report to the Intervention Coordinator within one school day, who must maintain records of all such incident reports.

The building administrator or designee must provide support to staff members involved by determining if any staff member has suffered an injury, seeking appropriate treatment for that staff member, and determining when the staff member can return to his/her duties.

The building administrator or designee must ensure that each staff member involved in an incident engages in a de-briefing or processing session(s) in order to determine what could have been done to prevent the use of seclusion or restraint in this incident and how to avoid the need for use of seclusion or restraint in the future for this student specifically and for other students in similar

situations. Ideally, this will occur immediately following the incident but may occur later if the needs of the student or other students take precedence or the staff member has suffered an injury requiring treatment.

Notification of Parents

Student handbooks must include a statement similar to the following: "a student will not be subject to restraint unless the student's behavior poses an imminent risk of injury to the student or others. However, significant violations of the law, including assaults on students and staff, will be reported to the police. After any use of seclusion or restraint, the student's parent or guardian will be verbally informed by the end of the school day and will be provided with a detailed account of the incident, including the circumstances that led to the use of seclusion or restraint, within two school days.

Training of Staff

The Corporation will provide yearly professional development for all instructional staff (including paraprofessionals and all aides who work with any students with a disability) covering:

Federal and state laws on how to serve students with disabilities, including the ADA and Section 504, which covers, among other topics, how to consider and respond appropriately to requests for reasonable modifications.

- A. Implementing Classroom-wide Behavior Management Plans (including implementing instruction aligned with behavior goals).
- B. Principles of behavior, analyzing behavior, proactive behavior management, de-escalation, and simple non-intrusive strategies for handling misbehavior.
- C. Proper use of physical restraint, including supervised practice of physical restraint techniques for all CPI-trained staff.
- D. Providing individualized supports and interventions to students and evaluating the effectiveness of those supports and interventions.
- E. How to complete all reports, forms, and reviews.
- F. How to refer complaints filed.
- G. Effective debriefing after an incident of physical restraint.

Additionally, yearly professional development will occur for all special education teachers (in addition to the above trainings) covering:

- A. Conducting FBA's and developing and implementing BIPs.
- B. Writing behavioral goals and implementing instruction aligned with those goals.

Professional development will be provided yearly for all Administrators covering how to review all reports to determine whether staff completed forms properly.

Professional development will be provided yearly for all School Resource Officers covering:

- A. Working with students with disabilities, including mental health and emotional disabilities.
- B. De-escalation techniques and conflict resolution.
- C. The behavior management systems at each school where the SRO is assigned.
- D. All other training the District determines is needed.

Annual Review, Planning Process and Oversight

At least every six months, the Coordinator will meet with the Administrators and the relevant staff from every school that has used physical restraint since the last time the Coordinator met with that school. During the review meeting, the attendees will examine the school's physical restraint practices by reviewing incident reports and all relevant data, in order to:

- A. Identify patterns involving particular students or staff (including action by staff that escalated student misbehavior) and determine how to address those patterns to reduce the use of physical restraint.

- B. Assess the effectiveness of the de-escalation techniques used and devise ways to improve those techniques.
- C. Evaluate whether the staff are using appropriate physical restraint techniques.
- D. Discuss ways to improve the school's staff, student, and parent debrief process.
- E. Evaluate the quality of the FBA's conducted and BIP's developed, and identify ways to improve their effectiveness.
- F. Evaluate whether interventions put in place for students were implemented with fidelity and whether they proved effective, and identify ways to increase fidelity and effectiveness.
- G. Identify any changes to the learning environment, including the physical spaces, and that would help to avoid the need for future physical restraint.
- H. Examine the school's notification practices and whether they can be improved.

After each school review, each school will implement all appropriate school-level changes identified by the review. Within one week of the review meeting, the Coordinator will submit a written report to the Superintendent identifying the results of the review, including all changes being made at the school level, all changes the school recommends be made at the District level, and identifying all training needs. For every recommendation from each school review, including the identification of training needs, the District will document how it has implemented the recommendation and provided the training, or state the reasons why it has not implemented the recommendation or provided the training.

The Coordinator will monitor all IEPs of students whose placement includes time in a Self-Contained Classroom to ensure that included behavioral goals are consistent with the identified target and replacement behaviors in that student's FBA and BIP (including ensuring that if the FBA includes several areas of concern, the IEP should include behavioral goals for each of those behaviors).

Definition of Terms

The following definitions apply in this policy regardless of the term(s) used to describe the conduct when it occurs.

- A. **"Functional Behavior Assessment"** or "FBA" refers to a systematic process that is used to operationally define a behavior, identify factors that support the behavior, and determine the underlying function or purpose of the behavior, so that an effective Behavior Intervention Plan can be developed. Such a process identifies pupil-specific, socio-affective, cognitive, and/or environmental factors associated with the occurrence (and non-occurrence) of specific behaviors, to understand the function or purpose behind the behavior. An FBA describes the problem behavior, identifies preceding and subsequent events that control the behavior, and develops and tests a theory of the behavior. It should be completed by qualified professionals after reviewing student records, (including the student's disciplinary record and other relevant data), conducting interviews with the student and the student's parents or guardian, direct observation, and collecting and analyzing additional sources of assessment data (e.g., rating scales).
- B. **"Behavioral intervention plan" or "BIP"** refers to a plan created by appropriately trained professionals for an individual student agreed upon by the Case Conference Committee, comprised of positive behavioral interventions, strategies, and supports, which may include reasonable modifications to the nature of instruction, curriculum, or school routine. Such plans are typically developed based on the outcome of a Functional Behavior Assessment and reflect feedback from parents or guardians regarding the emotional, mental, and physical health of the student, as well as other relevant data also defined and has the meaning given it in the rules of the Indiana State Board of Education. (511 IAC 7- 32-10)
- C. **"Case conference committee"** has the meaning given it in the rules of the Indiana State Board of Education. (511 IAC 7- 32-12)
- D. **"Chemical restraint"** means the administration of a drug or medication to manage a student's behavior or restrict a student's freedom of movement that is not a standard treatment and dosage for the student's medical or psychiatric condition. The term does not include the administration of prescription medication pursuant to the orders of a student's physician that is a standard treatment and dosage for the student's medical or psychiatric condition.
- E. **"Emergency"** means a situation in which immediate intervention is necessary to protect the safety of a student or others from an imminent threat of physical injury to the student or others and staff trained in crisis intervention are not present to assist.
- F. **"Individualized education program" or "IEP"** has the meaning given to it in the rules of the Indiana State Board of Education. (511 IAC 7-32-48)

- G. **"Mechanical restraint"** means the use of a mechanical device, material or equipment attached or adjacent to a student's body that the student cannot remove and that restricts the freedom of movement of all or a part of the student's body or restricts normal access to the student's body. The term does not include mechanical devices, a material or equipment used as prescribed by a physician.
- H. **"Physical restraint"** refers to physical contact between District staff and a student in which the student unwillingly participates and that involves the use of a manual hold to restrict freedom of movement of all or part of the student's body or to restrict normal access to the student's body. The term includes holding or grabbing a student to escort, compel, or coerce the student to move to another location within the school. It does not include a temporary touching of the hand, wrist, arm, shoulder, or back without applying pressure or force for the purpose of guiding or directing the student. An action need not be a CPI - trained technique to meet the definition of "Physical Restraint".
- I. **"Physician"** means a person holding an unlimited license to practice medicine in Indiana, and includes an M.D. (medical doctor) and a D.O. (osteopathic physician).
- J. **"Positive behavior intervention and support"** means a systematic approach that uses evidence based practices and data driven decision making to improve school climate and culture and includes a range of systematic and individualized strategies to reinforce desired behavior and diminish reoccurrence of problem behavior to achieve improved academic and social outcomes and increase learning for all students.
- K. **"Seclusion"** refers to the involuntary confinement of a student alone in a room or area. IT includes the use of any room or area in which a student is involuntarily confined alone regardless of its name (including time out room, green room, break room or reset room, or a quiet area or a think about it spot). It does not refer to any location where the school authorizes a student to go voluntarily to engage in calming or de-escalating behavior.
- L. **"Time-out"** means 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.

Administrative Guidelines and Forms

The Superintendent is authorized to issue administrative guidelines, directives, and forms, including but not limited to, the Seclusion and Restraint Incident Report, as needed to fully implement this policy and document compliance.

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Legal I.C. 20-20-40-1, 20-20-40-2, 20-20-40-4, 20-20-40-5, 20-20-40-6, 20-20-40-9
 I.C. 20-20-40-10, 20-20-40-13, 20-20-40-14
 I.C. 20-26-18.2-4