**Delta Charter School**

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**Seclusion and Restraint**

**Guidelines and Procedures**

Under Louisiana Act 522 and Louisiana Bulletin 1706,

Revised 2012

Revised September 2017

Approved November 2017

**Introduction**

This document provides procedures and guidance for the use, reporting, documentation, and oversight of seclusion and restraint at Delta Charter School in accordance with regulations and guidance by the Board of Elementary and Secondary Education, Louisiana Department of Education (LDOE).

These procedures specifically address the statutory requirements of Louisiana Act 522 of 2016 and Louisiana Bulletin 1706, as revised April 20, 2012, regarding the use of seclusion and restraint as emergency safety measures to control the actions of students with exceptionalities in Louisiana’s public schools. It is understood that this procedural/guidance document is a work in progress and in no way constitutes the totality of interventions and strategies used by Delta Charter School and its personnel in addressing the educational needs of students.

For the purposes of this document, Delta Charter School may encompass policies adopted by the Delta Charter School Board; administrative procedures implemented by school administrators and school employees (as defined herein) and guided forms developed to assist school employees in carrying out their responsibilities under Louisiana Act 522 of 2016 and Louisiana Bulletin 1706, as revised.

Additionally, the Delta Charter School Board has adopted a proactive approach and will apply seclusion/restraint policies and procedures to all students, not only children with exceptionalities. Deaths have occurred throughout the nation on children who were improperly restrained. These policies and procedures shall be executed for all students to prevent injury and death. Therefore, it is critical that the policies and procedures be implemented specifically as described.

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**Board of Director’s Directives**

Pursuant to Board Policy

The Delta Charter School Board of Directors has approved the following guidelines and procedures relative to the use of seclusion and restraint by its employees:

1. Notification requirements for school officials and parents/legal guardians:

Parents must be notified within 24 hours of physical restraint or seclusion is used on their child. Documentation, including the date, time, method and name of individual contacting the parent must also be kept on file. Copies of documentation should be signed by the person completing the form and the appropriate school administrator. Copies of documentation must be sent to the parent, appropriate school administrator and Mrs. Miller within 24 hours of the incident.

1. Training requirements relative to the use of restraint:

Delta Charter School must have a seclusion and restraint team (SAR Team). The team must consist of, at a minimum: the school administrators, one teacher per grade level or hallway/school building, school nurse, one paraprofessionals and one coach. Guidance counselors, teachers, related service providers, additional paraprofessionals, school bus drivers, cafeteria workers, custodians and other school system personnel will be trained on an as needed basis.

The training program implemented by the Delta Charter School Board of Directors is the Non-Violent Crisis Intervention (NCI) Program by Crisis Prevention Institute (CPI).

Training will include:

1. Preventive Techniques
2. Understanding of Crisis Developmental Model
3. Non-verbal and Para-verbal communication
4. Understanding of defensive behavior
5. Precipitating factors
6. Physical intervention-disengagement skills
7. Physical Restraints
8. Knowledge of restraints/holding skills and the risk of improper restraint.
9. Execution of approved restraints/holding skills by participants with 100% accuracy.
10. Re-establishing communication with student to reenter the classroom
11. Written exam that must be completed with 80% accuracy.

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1. Staff members certified to use restraints/holding skills must re-certify every four years and complete a refresher course every two years.
2. Documentation of certified personnel will be maintained by the operations administrator.
3. Explanation of methods of board approved physical restraint/holding skills:
4. Children’s control position---allows a staff member to maintain a balanced stance while managing the child.
5. Team control position---is more than two staff members used to manage individuals who have become dangerous to themselves or others.
6. Transport position---assists staff members to safely move an individual who is beginning to regain control.
7. Interim control position---is a temporary control position that allows the staff member to maintain control of both of the individual’s arms, if necessary, for a short time.
8. Dissemination of Guidelines:
9. Seclusion and restraint guidelines and procedures will be posted in the Delta Charter School employee handbook which is given out to all employees at the beginning of the school year.
10. A hard copy of the seclusion and restraint guidelines and procedures will be kept in the Delta Charter School policies and procedures manual as well as in the special education policies and procedures manual.
11. Dissemination to parents---parents will have access to the seclusion and restraint guidelines and procedures from the Delta Charter School website in the policies and procedures manual located there. Parents without internet access or any who would like a paper copy may request a copy from the operations administrator.
12. Notification to the Louisiana Department of Education:

A copy of the seclusion and restraint guidelines and procedures will be emailed to the

LDOE by the operations administrator of Delta Charter School. Maintaining

Documentation of seclusion and physical restraint/holding shall be the responsibility of

the operations administrator. This administrator or his/her designee shall be responsible

for informing the LDOE of all instances per LDOE requirements.

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**Seclusion and Restraint**

**Guidelines and Procedures**

**Seclusion** is an involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. This procedure isolates and confines a student until he/she is no longer an immediate danger to his/herself or others. It may be used on an individual basis for limited time to allow the student the opportunity to regain control in a private setting.

This method must not be used to address behaviors such as general noncompliance, self-stimulation and academic refusal. Such behaviors must be responded to with less stringent and restrictive techniques.

Seclusion room is a room or other confined area, used on an individual basis, in which a student is removed from the regular classroom setting for a limited time to allow the student the opportunity to regain control in a private setting and from which the student is involuntarily prevented from leaving.

This term does not include a timeout, which is a behavior management technique that is

part of an approved program, involves the monitored separation of the student in a non-

locked setting, and is implemented for the purpose of calming.

A seclusion room or other confined area must:

* Be free of any object that poses a danger to the student who is place there
* Have an observation window
* Have a ceiling height and heating, cooling, ventilation, and lighting system

comparable to an operating classroom in the school

* Be of a size that is appropriate to the student’s size, behavior, and chronological and developmental age

A student placed in seclusion must be monitored/supervised at all times by an adult. Monitoring requires close, visual proximity to the student and release as soon as the behaviors that led to the seclusion cease.

A **mechanical restraint** is the use of any device or object used to limit a student’s freedom of movement. This term does not include devices implemented by trained school personnel or utilized by a student that has been prescribed by an appropriate medical or related service professional and are used for the specific and approved purposes for which such devices were designed, such as:

* Adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility that would be possible without the use of such devices or mechanical supports

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* Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle
* Restraints for medical immobilization
* Orthopedically prescribed devices that permit a student to participate in activities without risk of harm

It does not include any device used by a duly licensed law enforcement office in the execution of his/her official duties.

A **physical restraint** is using bodily force to limit the movement of a student’s torso, arms, legs or head.

This term does not include:

* Consensual, solicited, or unintentional contact
* Momentary blocking of a student’s action if the student’s action is likely to result in harm to the student or any other person
* Holding of a student, by one school employee, for the purpose of calming or comforting the student, provided the student’s freedom of movement or normal access to his/her body is not restricted
* Minimal physical contact for the purpose of safely escorting a student from one area to another
* Minimal physical contact for the purpose of assisting the student in completing a task or response.

Every effort should be made to prevent the need for using seclusion or restraint techniques. Environments should be structured and focused on positive interventions and supports to greatly reduce and in many cases eliminate the need to use restraint or seclusion.

Seclusion and restraint MUST NOT be used as a form of discipline or punishment, as a threat to control, bully, or obtain behavioral compliance or for the convenience of school personnel.

No student should be:

* Subjected to unreasonable, unsafe, or unwarranted use of seclusion or physical restraint
* Placed in seclusion or physically restrained if he or she is known to have any medical or psychological condition that precludes such action, as certified by a licensed health care provider in a written statement provided to the school in which the student is enrolled
* Subjected to mechanical restraints to restrict a student’s freedom of movement

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These guidelines apply to ALL students, not just those with disabilities. The use of seclusion and/or restraint should:

* Be reserved for situations or conditions where there is imminent danger of serious physical harm to the student, other students, or school or program staff and other interventions are ineffective
* Not be used except to protect the student and others from serious harm and to defuse imminently dangerous situations in the classroom or other non-classroom school settings (e.g. hallways, cafeteria, playground, sports filed)
* Only be used by trained personnel
* Never involve mechanical restraints to restrict a student’s freedom of movement
* Never involve a drug or medication to control behavior or restrict freedom of movement (except as prescribed by a licensed physician or other qualified health professional acting under the scope of the professional’s authority under State Law, and administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional’s authority under State Law).

**Monitoring and Documentation**

Seclusion and physical restraint of students with disabilities require monitoring, documentation, and analysis of data collected:

1. Continuous monitoring of the student under restraint or seclusion is required.
2. Student must be released/removed as soon as the reasons for the action have subsided and the student is no longer an immediate risk of harm to self or others.
3. The person/employee who used seclusion or restraint shall complete the seclusion/restraint report form for each incident of seclusion and/or restraint. The forms can be found in the Delta Charter School employee handbook.
4. The seclusion/restraint report form must be provided to the student’s parent/guardian, the appropriate school administrator and Mrs. Miller within 24 hours of EACH incident of seclusion/restraint.
5. Each incident of seclusion and restraint must be reported to the LDOE through the Special Education Reporting (SER) system.
6. When a student is involved in **5 incidents in a single school year**\*, the IEP team will be convened to review and revise the student’s behavior intervention plan to include any appropriate and necessary behavioral supports.

\*Five (5) incidents in a school year includes the cumulative number of incidents of restraint AND seclusion AND holding. (e.g. 2 restraints + 3 seclusions = 5 incidents).

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**Definitions**

Crisis Prevention Institute (CPI)---The institute whose purpose is to formally validate the global standard of providing high-quality, meaningful training in the safe management of disruptive and assaultive behavior and to formally recognize professionals and other stakeholders committed to that standard.

Emergency---A sudden, generally unexpected, set of circumstances that require immediate action.

Imminent Risk of Harm---An immediate and impending threat of a person causing substantial physical injury to self or others. The risk is “imminent” is it is likely to occur within a matter of moments.

Mechanical Restraint---The use of any device or object used to limit a student’s freedom of movement. This term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related service professional and are used for the specific and approved purposes for which such devices were designed.

Non-Violent Crisis Intervention (NCI)---The research based training program developed and published by Crisis Prevention Institute (CPI) adopted by the Delta Charter School Board.

Non-Violent Physical Crisis Intervention---Includes physical restraint/hold control positions that restrict a youth’s movement for the management of violent or self-destructive behavior that jeopardizes the immediate physical safety of the student or others. The approved holds:

1. Child Control Position
2. Team Control Position
3. Transport Position
4. Interim Control Position

Physical Escort---Minimal physical contact for the purpose of safely escorting a student from one area to another.

Physical Restraint---Using bodily force to limit the movement of a student’s torso, arms, legs, or head.

Positive Behavior Interventions and Support (PBIS)---A systematic approach to embed evidence-based practices and data-driven decision making when addressing student behavior in order to improve school climate and culture.

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Seclusion---An involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. This procedure isolates and confines a student until he/she is no longer an immediate danger to his/herself or others. It may be used on an individual basis for limited time to allow the student the opportunity to regain control in a private setting.

Seclusion Room---A room or other confined area, used on an individual basis, in which a student is removed from the regular classroom setting for a limited time to allow the student the opportunity to regain control in a private setting and from which the student is involuntarily prevented from leaving.

School Employee---A teacher, paraprofessional, administrator, support, staff member, contracted employee, school nurse, guidance counselor, school bus driver, cafeteria workers, custodians or a provider of related services.

Substantial Risk of Injury---Behavior expressed through verbal and/or physical means to cause serious physical harm to self or others, whether or not directly or substantially considered to be a manifestation of the student’s disability.

Time-Out---A behavior reduction procedure that involves the absence of positive reinforcement for a limited period of time. Time-out may include:

1. Inclusionary time-out where the student remains in sight and sound of others in the classroom.
2. Exclusionary time-out where the student leaves the learning environment and goes to another location but is not isolated and prevented from leaving.

These forms of time-out do NOT constitute seclusion, but must be monitored and documented at the school level to ensure that repetitive incidents of time-out do not occur and, if occurring, do not result in substantial isolation of the student from instructional activities.

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**Appendix A**

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