



## **Restraint and Seclusion Policy**

The Neighborhood Charter Network is committed to providing a safe and healthy environment in which children will learn, develop, and participate in instructional programs that promote high levels of academic achievement and character development.

The purpose of this policy is to insure that all students and staff are safe in school, and that students who may have behavior crises are free from inappropriate use of restraint or seclusion. Enlace Academy strives to ensure the rights of all children to be treated with dignity and respect.

### **I. USE OF RESTRAINT**

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 the 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.

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 restraint is not authorized in school.

H. Restraint or seclusion shall never be used in a manner that restricts a child's breathing or harms the child.

I. Every instance in which restraint or seclusion 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.

## **II. WHEN RESTRAINT PROCEDURES SHALL NOT BE EMPLOYED**

- A. Restraint shall not be used unless the student displaying behavior that presents an imminent risk of injury to self or others.
- B. A verbal threat 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.

## **III. USE OF SECLUSION**

- 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 Neighborhood Charter Network approved crisis intervention training in the use of seclusion procedures.
- E. Seclusion must be used only when trained staff members using appropriate techniques based on crisis intervention training can safely transport the student to the seclusion environment.
- F. Time out procedures that do not constitute seclusion are permitted in school.
- G. All seclusion environments shall be inspected and shall be:
  - 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. Shall not have locks.
8. Shall meet current fire and safety codes.

#### **IV. WHEN SECLUSION PROCEDURES 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.

#### **V. 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.

#### **VI. INFORMING PARENTS AND GUARDIANS GENERALLY**

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, if a student significantly violates the law including assaults on students and staff, the incident 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.*

#### **VII. TRAINING**

- A. The Neighborhood Charter Network will provide all staff members with basic training about conflict de-escalation procedures, the dangers of restraint and seclusion, 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 Neighborhood Charter Network will determine a specific curriculum and method of providing training related to restraint or seclusion.

D. A core group of appropriate personnel will be trained in each building in crisis intervention techniques, which will include the use of restraint and seclusion procedures.

E. Recurrent training will be provided on a regular basis at least annually.

### **VIII. Reporting, Documentation and Debriefing Requirements**

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 restraint or seclusion.

B. The building administrator or designee will verbally notify the parents/guardians as soon as possible (no later than the end of the school day in which the restraint or seclusion occurs).

1. The School Leader, or designee, will update the parent/guardian on the student's current physical and emotional state and
2. The School Leader or a member of the student support team 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 to an "Incident Report" as soon as practical after the use of seclusion or restraint.

2. The School Leader or designee will send a copy of the written report to the parent or guardian documenting the use of restraint or seclusion, 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 Special Needs Coordinator if the student is a Special Education student. A report for a general education student should be submitted to the Behavior Specialist.

4. The School Leader, or designee, will maintain a log of all incidents in the School wide data recording system (PowerSchool).

5. 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 restraint or seclusion; 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 restraint or seclusion;
7. A description of the incident and/or student behavior that resulted in implementation of restraint or seclusion, including a description of the danger of injury which resulted in the

- restraint or seclusion;
8. A log of the student's behavior during restraint or seclusion, 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 restraint or seclusion and whether they had training related to restraint or seclusion;
  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.

D. Further, it is expected that each staff member involved in an incident will engage in a de-briefing or processing session(s) in order to determine if all procedures were implemented with fidelity and discuss if any different interventions could be implemented to prevent the future need for use of restraint or seclusion for this student specifically and for other students in similar situations.

1. Components to be included in this session are outlined in the Post emergency Staff Debriefing Form.
2. The School Leader, or designee, 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 with appropriate personnel.

## **IX. Annual Review, Planning Process and Oversight**

A. The Neighborhood Charter Network Director of Special Needs (or designee) will be designated as the coordinator of data, planning and oversight of the use of restraint or seclusion procedures in The Neighborhood Charter Network .

B. The Neighborhood Charter Network 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 or Corp name here] 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 School Leader 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 Neighborhood Charter Network training curriculum.

## **APPENDIX & DEFINITIONS**

**Behavioral intervention plan:** means a plan that is agreed upon by the Case Conference Committee (CCC) and incorporated into a student's Individualized Education Program (IEP) and that, a minimum, describes the following:

1. The pattern of behavior that impedes the student's learning or the learning of others.
2. The purpose or function of the behavior as identified in a Functional Behavioral Assessment.
3. The positive interventions and supports, and other strategies, to:
  - a. address the behavior; and
  - b. maximize consistency of implementation across people and settings in which the student is involved.
4. If applicable, the skills that will be taught and monitored in an effort to change a specific pattern of behavior of the student.
5. The behavioral intervention plan seeks to maximize consistency of implementation across people and settings in which the student is involved.

**Chemical Restraint:** 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.

**Crisis Intervention Training:** training provided to selected staff members which addresses how to deal with aggressive, violent or out of control behaviors. It includes specific techniques for restraint and seclusion and could result in certification of the individuals who complete the training.

**De-Escalation:** causing a situation to become more controlled, calm and less dangerous, thus lessening the risk for injury to someone.

**Employee:** means all paid school staff, volunteers, contract employees, consultants or any other agents of the school or corporation.

**Functional Behavioral Assessment:** ongoing process of gathering information that can be used to hypothesize about the function of student behavior. The analysis provides the information necessary to develop an intervention plan.

**Imminent.** Likely to happen right away; within a matter of minutes.

**Mechanical restraint:** means the use of (1) a mechanical device (2) a material or (3) equipment attached or adjacent to a student's body that the student cannot remove and that restricts the freedom of movement of all or part of the student's body or restricts normal access to the student's body. The term does not include (1) mechanical devices, (2) a material or (3) equipment used as prescribed by a doctor.

**Physical Restraint:** physical contact between a school employee 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 a student's body or to restrict normal access to the student's body. The term does not include (1) briefly holding a student without undue force in order to calm or comfort a student, or to prevent unsafe behavior, such as running into traffic or engaging in a physical altercation, (2) physical escort, or (3) physical contact intended to gently assist or prompt a student in performing a task or to guide or assist a student from one area to another

**Prevention and Conflict De-escalation Training:** training which is provided broadly to school staff on how to prevent, defuse and de-escalate potential behavioral crisis situations.

**Positive Behavior Intervention and Support:** 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

**Prone physical restraint:** the person is being held face down lying on their stomach on a horizontal surface such as the floor.

**Seclusion:** means the confinement of a student alone in a room or area from which the student physically is prevented from leaving. The term does not include a supervised time-out or scheduled break, as described in a student's individualized education program, in which an adult is continuously present in the room with the student.

**Staff:** means all paid school staff, volunteers, contract employees, consultants or any other agents of the school or corporation.

**Supine physical restraint:** a person is being held face up on her/his back on a horizontal surface such as the floor.

**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. Time-out shall be both developmentally and behaviorally appropriate and shall be short in duration.

**Substantial risk:** a situation where there is serious, imminent threat of bodily harm and where there is the immediate ability to enact such harm.

**Staff Trained in Crisis Intervention:** individuals who successfully complete and maintain certification in a training program that results in acquisition of skills to prevent restraints, evaluate risk of harm in an individual situation, use approved restraint techniques and monitor the effect of the restraint.

**Parent or Guardian:** the student's parent, legal guardian, surrogate parent or student over the age of 18.