



704 KAR 7:160

Use of Physical Restraint and Seclusion in Public Schools

Mercer County Public Schools
Special thanks to Jessamine County Schools for development of PowerPoint

Background

- Enacted February 1, 2013
- Designed to enhance safety for students and staff by:
 - Limiting the use of physical restraint and seclusion
 - Training teachers on more effective ways to improve student behavior
 - Training teachers on how to safely conduct restraints when absolutely necessary.

Benefits of Positive Behavior Interventions & Supports (PBIS)

- PBIS is not a curriculum — it is a **framework** to help schools identify needs, develop strategies, and evaluate practices.
- Implementing positive, instructional discipline strategies and systems is the most effective way to prevent decrease or eliminate problem student behavior.

Four Key Principles

- Predicting problem behavior
- Preventing problem behavior
- Maintaining consistency
- Monitoring the program

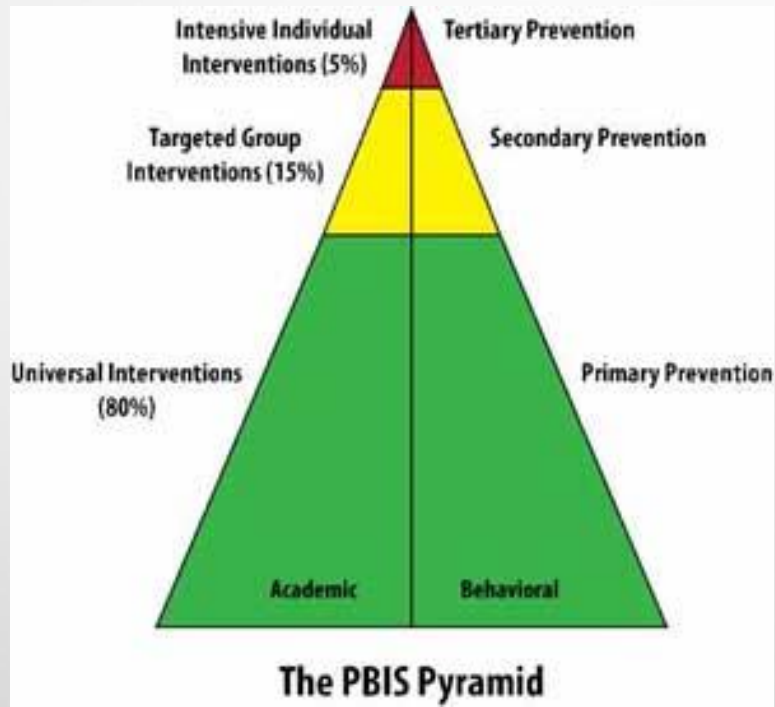
Elements of Positive Behavior Interventions & Supports

- Teaching and reinforcing appropriate behavior so that everyone, the adults and the students, are engaging in instruction and prevention
- Following consistent plans when responding to problem behavior
- Using data to guide decision making
- Reinforces students for following the behavior expectations

Multi-Tiered Behavior System

- PBIS is a multi-tiered, intervention system
- Primary (Universal) Prevention
- Secondary (Targeted) Prevention
- Tertiary (Intensive) Prevention

PBIS Pyramid



Key Points for PBIS

- A school-wide commitment is crucial to success.
- A leadership team that meets regularly is essential.
- Analyzing behavioral data for patterns helps to predict behavior problems.

Preventing Problem Behavior

- Routines and arrangements:
 - Standing in the doorway during transitions
 - Providing positive prompts before releasing students from class.
 - Keeping doors to stairways open.
 - Acknowledging students following rules.
 - Consistently correcting students who behave inappropriately.

Teaching Expectations

- Teach expectations and post throughout the school.



Responding to Problems

- Keys to responding appropriately to problems:
 - Classroom vs. office referrals
 - Develop a list of effective consequences
 - Always have correction as part of the response

Acknowledging Success

- Ways to properly use reinforcement:
 - Verbal praise
 - Non-verbal praise (thumbs up)
 - Public acknowledgement
 - Privileges
 - Token systems, classwide reinforcement

Monitoring Success

- Try to stay proactive instead of reactive
- Strive for a four to one ratio of positive to negative interactions

Behavior Management Strategies

Adults' actions are key...

- Awareness – think about how your actions affect students.
- Strive for a 4:1 ratio of positive reinforcement versus punishment/negative interactions.

Building Positive Relationships

- Quick strategies:
 - Showing a genuine interest in students
 - Providing age-appropriate feedback in a non-embarrassing way.
 - Treating students with respect by using simple courtesy such as saying “thank you” and “please”

When problem behaviors occur...

- General strategies:
 - Acknowledge appropriate behavior displayed by students.
 - Speak privately to the student exhibiting problem behavior.
 - Identify the problem without emotion.
 - Present options.
 - Ask the student to improve their behavior for their benefit (not yours)
 - Acknowledge compliance

Behavior Management – Schedule and Routines

- Having a consistent schedule matters!
 - Expectations for arrival times
 - A sequence and planned duration of activities
 - A routine for clean-up and transitions between activities
 - Explanations for any schedule changes

In addition...

- All procedures are taught and practiced and feedback is given.
- Transitions between activities are smooth and without confusion.
- Transitions in and out of the classroom are clearly defined and practiced.

Physical Arrangement

- Characteristics of a well-designed classroom include:
 - Clear expectations are communicated regarding acceptable behavior
 - Expectations regarding behavior are posted clearly
 - Transitions are smooth and without confusion
 - Transitions in and out of the classroom that are clearly defined and practiced
 - Students see teacher and teacher sees students at all times

Teacher Proximity

- Moving about the classroom frequently and maintaining a close proximity to the students can have a dramatic impact on student behavior.
- Hovering near a particular student or area where behavior problems may occur is an effective strategy.

Positive Teaching Practices

- Provide clearly specified goals and objectives
- Engage students throughout lessons
- Provide high levels of feedback
- Use verbal prompts along with physical demonstrations
- Use “natural models”

Behavior Momentum

- Strategy for increasing the likelihood of appropriate behavior by asking a student to do two or three things they typically want to do and then following up with a request for a behavior the student typically does not want to do.

Additional strategies

- Providing Choices
- Opportunities to Respond
- Prompts and Cues

Why are these kids so angry?

- Three types of anger:
 - Expressive
 - Passive
 - Implosive

The Escalation Cycle



Prevention and De-escalation Strategies

- Calm Stage
 - Student is calm, cooperative, and follows rules. Student accepts corrective feedback and follows directives.
 - Now is the time to teach expectations, social skills, and, as appropriate, relaxation techniques. Students can set personal goals for behavior and you should be providing a lot of positive reinforcement.

Prevention and De-escalation Strategies

- Trigger Stage
 - Something occurs to upset the student. The trigger stage often includes several unresolved conflicts.
 - Intervention is focused on prevention and redirection.

Prevention and De-escalation Strategies

- Agitation Stage
 - Student's behavior becomes unfocused. The student is off-task, withdrawing socially, talking with others and/or out of his/her seat.
 - Intervention at this point is focused on reducing anxiety.

Prevention and De-escalation Strategies

- Acceleration/Peak Stages
 - During Acceleration stage, student's behavior becomes more focused, provocative and may be threatening. When this stage is reached, the cycle will likely run its course – the student is unable to think rationally or exhibit self-control.
 - Intervention is focused on the safety of the student and others. Disengage from student and follow crisis plan if needed.

Prevention and De-escalation Strategies

- Peak Stage
 - Student's behavior is most severe and may include destruction of property, physical aggression, or injury to self or others.
 - At this stage, you should focus on safety and following a crisis plan.

Establishing a Core Team

- Regulation requires each school designate a core team who is designated to respond to dangerous behavior and to implement physical restraint, if needed.
- Core Team receives additional training in de-escalation techniques and safe physical restraint procedures.
- All school personnel will be notified who are the members of the core team. Core Team lists can be located on the MCPS website.

704 KAR 7:160 Use of Physical Restraint and Seclusion in Public Schools

- All school districts must establish and implement policies and procedures regarding restraint and seclusion that do the following:
 - Ensures school personnel are aware of and parents are notified how to access the policies and procedures regarding physical restraint and seclusion
 - Requires school personnel to be trained in accordance with the requirements outlined in Section 6 of the administrative regulation

704 KAR 7:160 Use of Physical Restraint and Seclusion in Public Schools, cont.

- Outlines procedures to be followed during and after each use of physical restraint or seclusion, including notice to parents, documentation of the event in the student information system (IC), and a process for the parent or emancipated youth to request a debriefing session
- Requires notification within twenty-four (24) hours to the Kentucky Department of Education and local law enforcement in the event of death, substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty resulting from the use of physical restraint or seclusion
- Outlines a procedure by which parents may submit a complaint regarding the physical restraint or seclusion of their child, which shall require the district and school to investigate the circumstances surrounding the physical restraint or seclusion, make written findings, and, if appropriate, take correction action

704 KAR 7:160 Use of Physical Restraint and Seclusion in Public Schools, cont.

- Outlines a procedure to regularly review data on physical restraint and seclusion usage and revise policies as needed
- As required by Section 6 (1), all school personnel shall be trained in state administrative regulations and school district policies and procedures regarding physical restraint and seclusion.
- All certified and non-certified school personnel shall be trained annually to use an array of positive behavioral supports and interventions to accomplish the following:
 - *Increase appropriate student behaviors
 - *Decrease inappropriate or dangerous student behaviors
 - *Respond to dangerous behavior

MCPS Policy & Procedures

Mercer County's policy and procedures regarding this regulation can be found on the MCS website

- [Policy – 09.2212](#)
- [Procedures – 09.2212 AP.21](#)

Limitations on the Use of Seclusion

- 704 KAR 7:160 defines seclusion as the involuntary confinement of a student alone in a room or area from which the student is prevented from leaving but does not mean classroom timeouts, supervised in-school detentions, or out-of-school suspension.
- Seclusion may only be implemented in a public school or educational program under the following conditions:
 - The student's behavior poses an imminent danger of physical harm to self or others
 - The student is visually monitored for the duration of the seclusion
 - Less restrictive interventions have been ineffective in stopping the imminent danger of physical harm to self or others
 - School personnel implementing the seclusion are appropriately trained to use seclusion

Limitations on the Use of Seclusion, cont.

- Seclusion shall **not** be used:
 - As punishment or discipline
 - To force compliance or to retaliate
 - As a substitute for appropriate educational or behavioral support
 - To prevent property damage in the absence of imminent danger of physical harm to self or others
 - As a routine school safety measure
 - As a convenience for staff
 - As a substitute for timeout (*As defined in 704 KAR 7:160, "Timeout" means 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*)

Limitations on the Use of Seclusion, cont.

- The use of seclusion shall end as soon as:
 - The student's behavior no longer poses an imminent danger of physical harm to self or others or
 - A medical condition occurs putting the student at risk of harm
- A setting used for seclusion shall:
 - Be free of objects and fixtures with which a student could inflict physical harm to self or others
 - Provide school personnel a view of the student at all times
 - Provide adequate lighting and ventilation
 - Have an unlocked and unobstructed door
 - Have at least an annual fire and safety inspection
 - Be reviewed by district administration to ensure programmatic implementation of guidelines and data related to its use.

Limitations on the Use of Physical Restraint

- Physical restraint shall not be used:
 - As punishment or discipline
 - To force compliance or to retaliate
 - As a substitute for appropriate educational or behavioral support
 - To prevent property damage, except as permitted under [KRS Chapter 503](#)
 - As a routine school safety measure
 - As a convenience for staff

Limitations on the Use of Physical Restraint, cont.

School Personnel Shall Not Impose the Following On Any Student at Any Time:

- Mechanical restraint
- Chemical restraint
- Aversive behavioral interventions
- Physical restraint that is life threatening
- Prone or supine restraint
- Physical restraint if they know that physical restraint is contraindicated based on the student's disability, health care needs, or medical or psychiatric condition

Limitations on the Use of Physical Restraint, cont.

Physical Restraint May Only be Implemented In a Public School or Educational Program when:

- The student's behavior poses an imminent danger of physical harm to self or others and as permitted under:
- [KRS 503.050](#)
[KRS 503.070](#)
[KRS 503.110](#)
- The physical restraint does not interfere with the student's ability to communicate in the student's primary language or mode of communication, unless the student uses sign language or an augmentative mode of communication as the student's primary mode of communication and the implementer determines that freedom of the student's hands for brief periods during the restraint appears likely to result in physical harm to self or others.

Limitations on the Use of Physical Restraint, cont.

- The student's physical and psychological well-being is monitored for the duration of the physical restraint.
- Less restrictive behavioral interventions have been ineffective in stopping the imminent danger of physical harm to self or others, except in the case of a clearly unavoidable emergency situation posing imminent danger of physical harm to self or others.
- School personnel implementing the physical restraint are appropriately trained as required by Section 6(3) (Core Team Training) of this administrative regulation, except to the extent necessary to prevent physical harm to self or others in clearly unavoidable emergency circumstances where other school personnel intervene and summon trained school personnel as soon as possible.
- Implementing a physical restraint, school personnel shall use only the amount of force reasonably believed to be necessary to protect the student or others from imminent danger of physical harm.

Limitations on the Use of Physical Restraint, cont.

The use of physical restraint shall end as soon as the following conditions occur:

- The student's behavior no longer poses an imminent danger of physical harm to self or others
- A medical condition occurs putting the student at risk of harm

Warning Signs

Warning Signs of Student Emotional Distress

- Uncontrollable crying or screaming
- Extreme withdrawal
- Irrational statements
- Urination, defecation, or vomiting

Warning Signs of Serious Physical Injury

- Complaints of pain
- Bleeding
- Complaints of severe pain with obvious reddening, swelling or abrasions
- Signs of broken or dislocated joints/bones

Warning Signs of Asphyxia

- Panting, shallow breaths, or hyperventilation
- Unconsciousness or unresponsiveness to regular verbal checks
- Darkening of skin around mouth or nose, and in hands or fingernails

Recording and Reporting Data

THE FOLLOWING INFORMATION MUST BE REPORTED BY THE DISTRICT IN THE KENTUCKY STUDENT INFORMATION SYSTEM (IC):

- Aggregate number of uses of physical restraint.
- Aggregate number of students placed in physical restraint.
- Aggregate number of uses of seclusion.
- Aggregate number of students placed in seclusion.
- Aggregate number of instances of substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty to students related to physical restraint and seclusion.
- Aggregate number of instances of risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty to school personnel related to physical restraint and seclusion.
- Aggregate number of instances in which a school resource officer or other sworn law enforcement officer is involved in the physical restraint or seclusion of a student.

If you have further questions/concerns,
please contact your building
administrator or the following Central
Office Administrators:

- Jason Booher, Superintendent
- Shanna Hale, Director of Special Education