

Guidelines and Procedures for Implementing Seclusion/Restraint Techniques

The St. Charles Parish Public School System has developed the following guidelines and procedures to comply with the mandates of Act 522 of the 2016 Regular Session of the Louisiana Legislature. This act provides guidance with respect to the appropriate use of seclusion and physical restraint to address significant challenging behaviors that may arise with students with exceptionalities. Seclusion and restraint techniques will be used as a last resort and in accordance with Louisiana Bulletin 1706, Sections 540 through 543. Seclusion must be approved by the Director of Special Education prior to implementation.

I. Process of De-escalation

If the student displays anxiety or a noticeable increase or change in behavior, de-escalation techniques should be immediately implemented to prevent the student's behavior from moving toward a crisis level. De-escalation techniques listed below should be the first steps in dealing with a student exhibiting challenging behaviors.

1. Stay composed. Remain professional.
2. Convey a calm, respectful attitude. Be aware of the tone, volume, and cadence of your voice as well as non-verbal communication (e.g., gestures, facial expressions, and movements).
3. Ignore the student's minor undesired behavior(s) and/or redirect.
4. Respect the student's personal space. Maintain at least an arm's length distance from the student.
5. Be aware of your body position. Avoid eye contact and toe-to-toe positions as they may be interpreted as being challenging and may increase behavior.
6. Be empathetic to the student's feelings. Don't judge or discount his/her feelings. Pay attention to him/her and don't be afraid of silence.
7. Do not engage in a power struggle. When the student challenges your authority, redirect to the issue at hand.
8. Set and enforce reasonable limits. Give simple, clear choices and consequences. Make sure the consequences are reasonable and enforceable.
9. Allow the student to verbally vent when possible to release energy and to allow you to understand what he/she is thinking and feeling.

II. Seclusion/Restraint

Seclusion: 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 or she is no longer an immediate danger to self or others. It may be used on an individual basis for a limited time to allow the student the opportunity to regain control in a private setting.

Seclusion Room: A 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.

Note: 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 placed there;
- have an observation window allowing school personnel to see and hear the student the entire time;
- have a ceiling height and heating, cooling, ventilation, and lighting system comparable to an operating classroom in the school; and
- be of a size that is appropriate for the student’s size, behavior, chronological and developmental age.

Mechanical Restraint: 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 any device used by a duly licensed law enforcement officer in the execution of his official duties. This also does not include any 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, such as:

- adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports;
- vehicle safety restraints when used as intended during the transport of a student in a moving vehicle;
- restraints for medical immobilization; or
- orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

Physical Restraint: 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 or her body is not restricted;
- minimal physical contact (ie. touching of the hand, wrist, arm, shoulder, or back) for the purpose of safely escorting a student from one area to another; or
- minimal physical contact for the purpose of assisting the student in completing a task or response.

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 when other interventions are ineffective;
- should 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 field);
- should only be used by personnel trained in Handle with Care or another appropriate de-escalation training program;
- never involve mechanical restraints to restrict a student’s freedom of movement; and
- never involve a drug or medication to control behavior or restrict freedom of movement.

Seclusion/Restraint must be used only:

- when a student's behavior presents a threat of imminent risk of harm to self or others and only as a last resort to protect the safety of self and others;
- to the degree necessary to stop the dangerous behavior;
- in a manner that causes no physical injury to the student, results in the least possible discomfort, does not interfere in any way with the student's breathing or ability to communicate with others, and does not place excessive pressure on the student's back or chest or that causes asphyxia; and
- in a manner that is directly proportionate to the circumstances and to the student's size, age, and severity of behavior.

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 seclusion or restraint.

- 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 restraint.
- No student should be placed in seclusion or 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 provide to the school in which the student is enrolled.
- No student should be subjected to mechanical restraints to restrict a student's freedom of movement.
- Seclusion and restraint techniques must not be used to address behaviors such as general noncompliance, self-stimulation, or academic refusal. Such behaviors must be responded to with less stringent and less restrictive techniques.

III. Behavior Intervention Plans

1. Any student with an exceptionality subject to the use of seclusion or restraint on three occasions shall have a Functional Behavioral Assessment (FBA) conducted. This must be accomplished within ten (10) days of the behavior that prompted the use of seclusion or restraint. The School Psychologist, the School Social Worker, and/or the Instructional Facilitator assigned to the student's school shall actively participate in the FBA. Furthermore, a Behavior Intervention Plan (BIP) must be developed if the student does not presently have one. The Behavior Intervention Plan should specifically prioritize the use of positive interventions and supports. If the student currently has a BIP, school personnel shall review the BIP and IEP to determine if revisions are necessary.
2. If a student is involved in five incidents in a single school year involving the use of seclusion or restraint, the student's IEP team shall review and revise the student's BIP to include any appropriate and necessary behavioral supports.
3. If the student's challenging behavior continues to escalate requiring repeated seclusion or restraint practices, the special education director or her designee shall review the student's IEP and BIP at least every three weeks.

IV. Written Notification and Reports

1. The parent or legal guardian of a student with an exceptionality who has been placed in seclusion or restrained shall be notified as soon as possible. The student's parent or legal guardian shall also be notified in writing within 24 hours of each incident of seclusion or restraint using the "Seclusion/Restraint Parent Letter". Such notice shall include the reason for seclusion/restraint, the procedures used, the begin and end time of the seclusion/restraint, duration of the seclusion/restraint, and the names and titles of any school employees involved.
2. The Director of Special Education and the Administrator of Student Services shall receive a copy of the completed "Seclusion/Restraint Parent Letter" whenever restraint or seclusion actions are taken.
3. A school employee who has secluded/restrained a student shall complete documentation on the "Seclusion/Restraint Log" immediately for each incident. The school employee shall report each incident to the school principal not later than the school day immediately following the day on which the student was placed in seclusion or restrained. The log should include the name of the student, date of the incident, begin and end time, behaviors presenting imminent harm, date reported to the parent, date incident was reported to Central Office, names, titles, and roles of school employees involved and behavior observations.
4. A student who has been placed in seclusion or has been restrained shall be monitored continuously and monitoring shall be documented on the Seclusion/Restraint Log at least every fifteen minutes with adjustments made accordingly, based upon observations of the student's behavior.
5. A list of personnel trained in Handle With Care will be kept at each school site and at the district office.
6. Reported incidents of seclusion/restraint will be entered into the LDOE database by the Special Education Director or designee.
7. These guidelines and procedures shall be provided to all school employees and the parent of every exceptional student. The guidelines and procedures shall also be posted at each school site and on the district's website.