FCC - RESTRAINT AND SECLUSION POLICY

It is the policy of the Hope-Page School District to limit the use of physical restraints and seclusion in the education and discipline of students. Interventions authorized by this policy may be applied to any enrolled student so long as such interventions are implemented in compliance with this policy. Interventions shall be implemented in a nondiscriminatory manner.

Definitions

For the purposes of this policy:

- *Behavioral intervention strategies* are evidence-based approaches used when students have or are exhibiting crisis behavior, or exhibit the potential to engage in such behavior in the future. Behavioral intervention strategies shall not be construed to mean a name-brand method of identifying and assessing students potentially in need of a behavioral intervention plan. Administration shall determine the appropriate scope and method of conducting a needs assessment for implementation of behavioral intervention strategies under this policy and should document completion of this assessment.
- *Crisis behavior* is student behavior involving continuous aggression, continuous self-harm, and/or continuous high-magnitude disruption that creates immediate risk to their own safety and/or the safety of others.
- *Supportive escort* means a temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of guiding a student who is displaying unsafe behavior to walk to a safe location.
- *Alternative space* is a behavior intervention strategy that involves temporarily removing a student who is engaging in crisis behavior from the general setting to a safe, structured space under the supervision of physically-present staff, for purposes of deescalating safely. Alternative spaces are not a form of seclusion.
- *Mechanical restraint* is the use of any device or equipment to restrict a student's freedom of movement. Mechanical restraints are prohibited. 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 services professional and are used for the specific and approved purposes for which such devices were designed, such as:

    a. 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;

    b. Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle;

    c. Restraints for medical immobilization; or

d. Orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

- *Chemical restraint* is medication used to control behavior or restrict freedom of movement that is not a standard treatment for the student's medical or psychological condition.
- *Physical restraint* means a personal restriction that immobilizes or reduces the ability of a student to move their torso, arms, legs, or head freely. This definition excludes physical prompts and supportive escorting of a student so long as the physical prompt/supportive escort does not render a student immobile.
- *Seclusion* is the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving.. This definition excludes alternative spaces, disciplinary sanctions designed to penalize students by separating them from the student population (such as, but not limited to, detention and in-school suspension), and alternative placement (which is often used to separate the student from the student population for safety reasons).

Behavioral Intervention Strategies

To minimize the need for physical restraint or seclusion and to respond to crisis behavior, the District shall use behavioral intervention strategies to the extent possible. To implement behavioral intervention strategies, the District shall, at a minimum, take the following steps:

1. Conduct a school-wide search of students in need of behavioral intervention strategies because of past incident(s) of challenging behavior or the potential to engage in crisis behavior in the future;

2. Train staff on identifying the need for behavioral intervention strategies and on implementing these interventions once established;

3. Develop a behavioral intervention plan (BIP) for identified students. This plan should at least identify the challenging behavior, identify the environmental or circumstantial factors that cause the student to engage in challenging behavior, include procedures for diminishing or removing such environmental or circumstantial factors, list interventions or modifications/supports that will be used to maintain appropriate behavior and respond to challenging behavior, and contain an overview of self-regulating techniques on which the student will be trained; and

4. Involve parents in the development of the BIP and receive their consent on the document. In the case of disabled students eligible under the Individuals with Disabilities Education Act (IDEA) and/or Section 504 of the Rehabilitation Act, behavior intervention strategies, if necessary, should be addressed in the student's Individualized Education Program (IEP) or 504 Plan.

Prohibitions

The District prohibits district employees, contractors, volunteers, and other individuals serving or working in any capacity for the District (hereafter district staff) from using any

form of restraint, seclusion, and/or alternative space on students except when the student is engaging in crisis behavior.

The District further prohibits district staff from the following:

1. Using restraint, seclusion, and/or alternative space interventions simultaneously except, when necessary, temporary measure (e.g., to evacuate a classroom or restrain a secluded student who is exhibiting self-destructive behavior);

2. Using restraint, seclusion, or alternative space to discipline or punish a student;

3. Using mechanical restraints;

4. Using chemical restraints;

5. Using a physical restraint or seclusion technique that restricts breathing or ability to communicate (e.g., requiring a student to lie down or covering a student's face);

6. Using a restraint or seclusion technique that will knowingly cause harm to a student. An exception to this provision may be warranted if a district staff member is attempting to obtain possession of a weapon or other dangerous object within the control of a student, is attempting to stop a physical altercation between the student and another individual, or is acting in self-defense and inadvertently causes harm to the student in the process. Administration shall investigate anytime a student was harmed during a restraint or seclusion to determine the appropriateness of the intervention technique under the circumstances;

7. Using a degree of force during a physical restraint greater than necessary to protect the student or others from risk of harm;

8. Using physical restraint or seclusion for longer than when the crisis behavior has subsided.

Determining Appropriate Interventions When Need for Physical Restraint or Seclusion is Foreseeable

When the District identifies a foreseeable need for physical restraint or seclusion, it shall determine the appropriate physical restraint or seclusion intervention based on at least the following criteria:

1. Behavior at issue;

2. Age of the student;

3. If a proposed intervention would violate restraint or seclusion interventions prohibited by policy. Such interventions shall not be used;

4. The student's needs;

5. Terms of the student's BIP, IEP, and/or 504 Plan;

6. If staff has received appropriate training in the intervention proposed;

7. Number of staff needed to administer the intervention. At a minimum, two staff members should be on hand when physical restraint or seclusion is used — one to witness implementation of interventions;

8. If a staff member will be available to continually monitor a student who is restrained or placed in seclusion. The District requires continuous monitoring of a student placed in seclusion;

9. If seclusion is the recommended intervention, whether or not the school has a seclusion area free from any objects that the student could use to harm themselves. If the District does not have such a room or area, alternative interventions must be used;

10. Whether or not the proposed interventions have been reviewed and approved by a qualified licensed or education specialist such as, but not limited to, a therapist, an individual certified in special education, or psychologist. The District recommends receiving this approval to ensure that proposed physical restraint or seclusion intervention does not substantially depart from accepted professional judgment, practice, or standards; and

11. A review of physical restraint or seclusion interventions used to respond to the student in the past. Any interventions that were ineffective should be modified using the above criteria.

Determining Appropriate Interventions When Need for Physical Restraint or Seclusion is Unforeseeable

When a student engages in unforeseen crisis behavior (i.e., crisis behavior not covered by the BIP, IEP, or 504 Plan), trained staff members shall implement physical restraint or seclusion interventions in compliance with all prohibitions contained in this policy, should respond in at least a team of two, should consider the age of the student and their needs when determining the appropriate intervention method, and shall take necessary measures to ensure the safety of the student including continuously monitoring a student placed in restraint or seclusion. Staff administering restraint or seclusion under these circumstances are subject to administrator notification and reporting requirements contained in this policy.

Students engaged in unforeseen crisis behavior shall be reviewed to determine the need for, or amendments to, a BIP, IEP, or 504 Plan.

Use of Alternative Spaces

Nonseclusionary, temporary use of alternative spaces are allowed only in cases of crisis behavior, and for the purpose of deescalating the student. Students shall be actively supervised and monitored by staff who are physically present at all times.

Staff Training

The District shall provide training to appropriate staff in physical restraint, use of alternative spaces, and seclusion and shall at least provide a copy of this policy to all district staff. Only trained staff members should implement physical restraint or seclusion interventions.

If a trained staff member is unavailable in a situation necessitating use of restraint or seclusion as defined by this policy, the untrained staff member should contact a trained staff member to seek assistance. If the urgency of the situation prohibits contacting a trained staff member for assistance, the untrained staff member shall implement physical restraint or seclusion interventions in compliance with all prohibitions contained in this policy and in any BIP, IEP, or 504 Plan (if the staff member is aware of the contents of such plan, if such plan exists). Staff administering restraint or seclusion under these circumstances are subject to administrator notification and reporting requirements contained in this policy. The Superintendent shall ensure that the staff member is debriefed after the incident and arrange for the staff member to receive training on physical restraint and seclusion if deemed appropriate.

Documentation, Notification, and Re-Evaluation

Whenever any student is restrained or secluded, the intervening staff member shall contact the building principal or designee as soon as practical. The building principal or designee shall determine if the restraint or seclusion is necessary and compliant with this policy; determine the appropriate duration of the physical restraint or seclusion, not to exceed the length of the school day; and shall at least issue their decision in writing.

Anytime restraint or seclusion is used, the school staff member administering the intervention should document it using the District's restraint or seclusion reporting form (FCC-E) and submit it to administration as soon as practical, but no later than 24 hours after the restrained student is released. An administrator or designee shall attempt to contact the student's parent as soon as practical, on the same day as the restraint was used, to inform them of the restraint or seclusion intervention used. If parents cannot be reached, the administrator should document a description of their notification attempts.

This notification requirement may only be waived if the parent agreed in writing to this waiver in the student's BIP, IEP, or 504 Plan and if the restraint or seclusion intervention used was part of the student's BIP, IEP, or 504 Plan.

School administration shall monitor the number and content of restraint and seclusion reporting forms received. If restraint or seclusion is repeatedly used with the same student, used multiple times within the same classroom, or used multiple times by the same individual, the District shall review the student's BIP, IEP, or 504 Plan to determine the effectiveness of current intervention strategies and shall assess any implicated staff member's need for more training.

Policy Violations

District staff who violate this policy may be subject to disciplinary action up to and including termination in accordance with law, district policy, and, if applicable, the negotiated agreement. The District will not tolerate any form of reprisal or retaliation

against an individual who, in good faith, reports or objects to actions they reasonably believe violate this policy or who provides information regarding an alleged violation of this policy.

Policy Adoption and Review

The Board should seek input from district parents prior to adoption of this policy and should form a committee to review this policy and implementation of restraint and seclusion interventions at least annually. As part of the policy review, the committee should examine the following:

1. Frequency of use of restraint or seclusion;

2. Outcomes of restraint or seclusion interventions;

3. Demographics of students subject to restraint or seclusion, programs/settings in which such interventions are used, and frequency of each staff member's use of these interventions to determine if policy is applied consistently;

4. Whether or not use of restraint or seclusion is reported accurately and consistently;

5. Whether or not data collected on restraint and seclusion are used to plan behavioral intervention strategies and staff development;

6. Whether or not policy continues to protect students and staff; and

7. Whether or not policy is still aligned with any applicable law.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FCC-E, Restraint or Seclusion Reporting Form

- FFK, Suspension and Expulsion

- FFK-BR, Suspension and Expulsion Regulations

End of Hope-Page Policy FCC ..... Adopted: 2/11/2026