EASTCONN
Where Learning Comes to Life

STUDENTS
Series 5000
Policy #5020.1.1

Use of Physical Force

Physical Restraint/Seclusion/Exclusionary Time Out

The EASTCONN Board of Directors believes that maintaining an orderly, safe environment is conducive to learning and is an appropriate expectation of all staff members within the district. To the extent that staff actions comply with all applicable statutes and EASTCONN Board of Directors policy governing the use of physical force, including physical restraint of students and seclusion of students, staff members will have the full support of the EASTCONN Board of Directors in their efforts to maintain a safe environment.

The EASTCONN Board of Directors recognizes that there are times when it becomes necessary for staff to use reasonable restraint or place a student in seclusion as an emergency intervention to protect a student from harming himself/herself or to protect others from harm.

Definitions

Life-threatening physical restraint means any physical restraint or hold of a person that restricts the flow of air into a person's lungs, whether by chest compression or any other means, or immobilizes or reduces the free movement of a person's arms, legs or head while the person is in the prone position.

Psychopharmacologic agent means any medication that affects the central nervous system, influencing thinking, emotion or behavior.

Physical restraint means any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head, including, but not limited to, carrying or forcibly moving a person from one location to another. Excluded from this definition is briefly holding a person in order to calm or comfort the person; restraint involving the minimum contact necessary to safely escort a person from one area to another; medical devices including but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; helmets or other protective gear used to protect a person from injuries due to a fall; helmets, mitts and similar devices used to prevent self-injury when the device is part of a documented treatment plan or individualized education program pursuant to Connecticut's special education laws or prescribed or recommended by a medical professional and is the least restrictive means to prevent such self-injury or an exclusionary time out.

School employee means a teacher, substitute teacher, school administrator, Superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional, or coach employed by EASTCONN or any other individual who, in the

performance of his/her duties has regular contact with students and who provides services to or on behalf of students enrolled in the district's schools, pursuant to a contract with the Agency.

Seclusion means the involuntary confinement of a student in a room, from which the student is physically prevented from leaving. Seclusion does not include an exclusionary time out.

Student means a child (A) enrolled in grades kindergarten to twelve, inclusive, in a public school under the jurisdiction of a local or regional Board of Education, (B) receiving special education and related services in an institution or facility operating under contract, (C) enrolled in a program or school administered by a regional education service center, or (D) receiving special education and related services from an approved private special education program, but shall not include any child receiving educational services from Unified School District #2 or the Department of Mental Health and Addiction Services.

Exclusionary time out means a temporary, continuously monitored separation of a student from an ongoing activity in a non-locked setting, for the purpose of calming such student or deescalating such student's behavior.

Conditions Pertaining to the Use of Physical Restraint and/or Seclusion

A. School employees shall not use a life-threatening physical restraint on a student under any circumstance.

B. If any instance of physical restraint or seclusion of a student exceeds fifteen minutes an administrator or his/her designee, or a school health or mental health personnel, or a board certified behavioral analyst, who has received training in the use of physical restraint and seclusion shall determine whether continued physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others. Upon a determination that such continued physical restraint or seclusion is necessary, such individual shall make a new determination every thirty minutes thereafter regarding whether such physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others.

C. No student shall be placed in seclusion unless:
    a. The use of seclusion is as an emergency intervention to prevent immediate or imminent injury to the student or to others, provided the seclusion is not used for discipline or convenience and is not used as a substitute for a less restrictive alternative.
    b. Such student is continually monitored by a school employee during the period of such student's seclusion. Any student voluntarily or involuntarily placed in seclusion or restrained shall be regularly evaluated by a school employee for indications of physical distress. The school employee conducting the evaluation shall enter each evaluation in the student's educational record. Monitor shall mean by direct observation or by observation using video monitoring within physical proximity sufficient to provide aid as may be required.
    c. The area in which such student is secluded is equipped with a window or other fixture allowing the student a clear line of sight beyond the area of seclusion.

d. Seclusion shall not be utilized as a planned intervention in a student's behavioral intervention plan, individualized education program or plan pursuant to Section 504 of the Rehabilitation Act of 1973, as amended from time to time.

D. School employees may not use a psychopharmacologic agent on a student without that student's consent except (1) as an emergency intervention to prevent immediate or imminent injury to the student or to others, or (2) as an integral part of the student's established medical or behavioral support or educational plan, as developed consistent with Section 17a-543 of the Connecticut General Statutes or, if no such plan has been developed, as part of a licensed practitioner's initial orders. The use of psychopharmacologic agents, alone or in combination, may be used only in doses that are therapeutically appropriate and not as a substitute for other appropriate treatment.

E. In the event that physical restraint or seclusion is used on a student four or more times within twenty school days:

a. An administrator, one or more of such student's teachers, the parent/guardian of such student and, if any, a mental health professional shall convene for the purpose of:
   i. Conducting or revising a behavioral assessment of the student;
   ii. Creating or revising any applicable behavioral intervention plan; and
   iii. Determining whether such student may require special education.

b. If such student is a child requiring special education or is a child being evaluated for eligibility for special education and awaiting a determination, such student's planning and placement team shall convene for the purpose of (1) conducting or revising a behavioral assessment of the student, and (2) creating or revising any applicable behavioral intervention plan, including, but not limited to, such student's individualized education plan.

The parent/guardian of a student who is placed in physical restraint or seclusion shall be notified not later than twenty-four hours after the student is placed in physical restraint or seclusion. A reasonable effort shall be made to provide such notification immediately after such physical restraint or seclusion is initiated.

F. School employees shall not use a physical restraint on a student or place a student in seclusion unless he/she has received training on the proper means for performing such physical restraint or seclusion.

G. The EASTCONN Board of Directors, and each institution or facility operating under contract with the EASTCONN Board of Directors to provide special education for children, including any approved private special education program, shall:

a. Record each instance of the use of physical restraint or seclusion on a student;
b. Specify whether the use of seclusion was in accordance with an individualized education program;

c. Specify the nature of the emergency that necessitated the use of such physical restraint or seclusion; and
d. Include such information in an annual compilation on its use of such restraint and seclusion on students.

H. EASTCONN and institutions or facilities operating under contract with the EASTCONN Board of Directors to provide special education for children, including any approved private special education program shall provide such annual compilation to the Department of Education in order to examine incidents of physical restraint and seclusion in schools.

I. Any use of physical restraint or seclusion on a student shall be documented in the student's educational record. The documentation shall include:

a. The nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise; and
b. A detailed description of the nature of the restraint or seclusion, the duration of such restraint or seclusion and the effect of such restraint or seclusion on the student's established educational plan.

J. Any incident of the use of restraint or seclusion that results in physical injury to a student shall be reported to the State Board of Education.

Required Training and Prevention Training Plan

Training shall be provided by the EASTCONN Board of Directors to the members of the crisis intervention team for each school in the district. The EASTCONN Board of Directors may provide such training to any teacher, administrator, school professional or other school employee, designated by the school principal and who has direct contact with students regarding physical restraint and seclusion of students. Such training shall be provided during the school year and each school year thereafter, and shall include, but not be limited to:

1. An overview of the relevant laws and regulations regarding the use of physical restraint and seclusion on students and the proper uses of physical restraint and seclusion.

2. The creation of a plan by which the EASTCONN Board of Directors will provide training regarding the prevention of incidents requiring physical restraint or seclusion of students.

3. The EASTCONN Board of Directors will create a plan, to be implemented requiring training regarding the proper means of physical restraint or seclusion of a student, including, but not limited to:

a. Verbal defusing and de-escalation;

b. Prevention strategies;

c. Various types of physical restraint and seclusion;

d. The differences between life-threatening physical restraint and other varying levels of physical restraint;

e. The differences between permissible physical restraint and pain compliance techniques; and

f. Monitoring methods to prevent harm to a student who is physically restrained or in seclusion, including training in the proper means of physically restraining or secluding a student.

g. Recording and reporting procedures on the use of physical restraint and seclusion.

Crisis Intervention Teams

Every year, the EASTCONN Board of Directors requires each school in the EASTCONN to identify a crisis intervention team. Such team shall consist of any teacher, administrator, school professional or other school employee designated by the school principal and who has direct contact with student and trained in the use of physical restraint and seclusion.

Such teams shall respond to any incident in which the use of physical restraint or seclusion may be necessary as an emergency intervention to prevent immediate or imminent injury to a student or to others.

Each member of the crisis intervention team shall be recertified in the use of physical restraint and seclusion on an annual basis. The EASTCONN Board of Directors shall maintain a list of the members of the crisis intervention team for each school.

Exclusionary Time Out

The EASTCONN Board of Directors establishes this portion of this policy regarding the use of an exclusionary time out, as defined in this policy. This policy regarding exclusionary time outs includes, but need not be limited to, the following requirements:

1. exclusionary time outs are not to be used as a form of discipline;

2. at least one school employee remain with the student, or be immediately available to the student such that the student and school employee are able to communicate verbally, throughout the exclusionary time out;

3. the space used for an exclusionary time out is clean, safe, sanitary and appropriate for the purpose of calming such student or deescalating such student's behavior;

4. the exclusionary time out period terminate as soon as possible; and

5. if such student is a child requiring special education, as defined in C.G.S. 10-76a, or a child being evaluated for special education, pursuant to C.G.S. 10-76d, and awaiting a

determination, and the interventions or strategies are unsuccessful in addressing such student's problematic behavior, such student's planning and placement team shall convene as soon as is practicable to determine alternative interventions or strategies.

Dissemination of Policy

This policy and its procedures shall be made available on EASTCONN's website and in the EASTCONN Board of Directors procedural manual. The policy shall be updated not later than sixty (60) days after the adoption or revision of regulations promulgated by the State Board of Education.

(cf. 5013.7.1 – Students with Special Health Care Needs)
(cf. 5023.8.1 – Use of Exclusionary Time Out Settings)

Legal Reference: Connecticut General Statutes
10-76b State supervision of special education programs and services.10-76d Duties and powers of boards of education to provide special education programs and services.
10-236b Physical restraint and seclusion of students by school employees. (as amended by PA 17-220 and PA 18-51)
46a-150 Definitions. (as amended by PA 07-147 and PA 15-141)
46a-152 Physical restraint, seclusion and use of psychopharmacologic agents restricted. Monitoring and documentation required.
46a-153 Recording of use of restraint and seclusion required. Review of records by state agencies. Reviewing state agency to report serious injury or death to Office of Protection and Advocacy for Persons with Disabilities and to Office of Child Advocate. (as amended by PA 12-88)
53a-18 Use of reasonable physical force or deadly physical force generally.
53a-19 Use of physical force in defense of person.
53a-20 Use of physical force in defense of premises. 53a-21 Use of physical force in defense of property.
PA 07-147 An Act Concerning Restraints and Seclusion in Public Schools.
PA 15-141 An Act Concerning Seclusion and Restraint in Schools.
State Board of Education Regulations Sections 10-76b-5 through 10-76b-11.

Adopted: 8/27/19
Revised:
Replaces: 5144.1

Form 1

_____Public Schools
Physical Restraint Report Form

Note: This report is required to be submitted to the Principal/Director of Special Services as soon as practicable after an incident involving physical restraint, but in no event later than 24 hours after the incident. Any use of physical restraint is to be documented in the student's educational record and, if appropriate, in the child's school health record.

Physical Restraint: Any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head. The term DOES NOT INCLUDE: (A) briefly holding a person in order to calm or comfort the person; (B) restraint involving the minimum contact necessary to safely escort a person from one area to another; (C) medical devices, including, but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; (D) helmets or other protective gear used to protect a person from injuries due to a fall; or (E) helmets, mitts and similar devices used to prevent self-injury when the device is part of a documented treatment plan or individualized education program pursuant to state special education statutes or an exclusionary time out.

STUDENT INFORMATION:

Name of Student: _____ Date of Restraint: _____

Date of Birth: _____ Age: _____ Gender: M/F _____ Grade Level: _____

Does student currently receive special education services or is the student being evaluated for eligibility for special education services? Yes: _ No: ___ School: _____

Date of this report: _____ Site of physical restraint: _____

This report prepared by: _____ Position: _____

Staff administering restraint:

Name: _____ Title: _____
Name: _____ Title: _____
Name: _____ Title: _____

Staff monitoring restraint:

Name: _____ Title: _____

Administrator who was verbally informed following the restraint:

Name: _____ Title: _____
Reported by: _____ Title: _____

PRECIPITATING ACTIVITY:

Description of activity in which the restrained or other students were engaged immediately preceding emergency use of physical restraint: *(A student may not be placed in seclusion except as an emergency intervention to prevent immediate or imminent injury to the student or others. Restraint may not be used to discipline a student, because it is convenient or instead of a less restrictive environment.)*

Description of the risk of immediate or imminent injury to the student restrained or others that required use of physical restraint:

Description of other steps, including attempts at verbal deescalation, to prevent the emergency necessitating use of restraint:

DESCRIPTION OF PHYSICAL RESTRAINT:

Justification for initiating physical restraint *(check all that apply)*:

☐ Non-physical interventions were not effective
☐ To protect student from immediate or imminent injury
☐ To protect other student/staff from immediate or imminent injury

Type of protective hold used:

☐ Side by side parallel hold
☐ Lifted and carried (full security hold)
☐ Held in chair (reverse cradle transport)
☐ Floor control
☐ Other (*describe*)

Regular evaluation of the student being restrained for signs of physical distress:

Time: _____ Evaluation: _____
Time: _____ Evaluation: _____
Time: _____ Evaluation: _____
Time: _____ Evaluation: _____
Time: _____ Evaluation: _____

Time restraint began:_____ Time restraint ended:_____

Total time (in minutes): _____

CESSATION OF RESTRAINT:

How restraint ended *(check all that apply)*:

☐ Determination by staff member that student was no longer a risk to himself/herself or others
☐ Intervention by administrator(s) to facilitate de-escalation
☐ Law enforcement personnel arrived
☐ Staff sought in-house assistance
☐ Community emergency personnel arrived
☐ Other *(describe)*:

Description of any injury to student and/or staff and any medical or first aid care provided:

Time medical staff checked injured person:

_____

Medical staff actions:

_____

Medical staff name:

_____

Incident report was filed with the following school district official:

_____

Date:_____

FURTHER ACTION TO BE TAKEN: (Attach separate page if necessary)
The school will take the following actions (*check all that apply*)

☐ Review incident with student to address behavior that precipitated the restraint
☐ Debrief staff regarding incident
☐ Consider whether follow-up is necessary for students who witnessed the incident
☐ Further contact with parents *(describe):*

☐ Convene Crisis Intervention Team Meeting
☐ Convene PPT to review/revise behavior intervention plan and/or IEP
☐ Convene PPT to discuss functional behavior assessment

PARENT/GUARDIAN NOTIFICATION *(required for all restraints)***:**

Parent who was verbally informed of this restraint:

Name: _____Telephone Number: _____

Date: _____ Time: _____

Called by: _____ Title: _____

Notice mailed to Parent: Yes_____ No_____

Mailed by:_____ Title: _____

Reviewed by:_____ Date: _____
(Principal/Program Administrator/ Team Leader)

Reviewed by:_____ Date: _____
(Director of Special Education)

FOR PRINCIPAL/DIRECTOR OR DESIGNEE USE ONLY

☐ Reviewed physical restraint report
☐ Reviewed behavior plan, if applicable
☐ In considering the effect of the restraint on the student's educational plan, I find the following:

_____
_____
_____
_____
_____
_____
_____
_____

Form 2

_____Public Schools

Seclusion Report Form

Note: This report is required to be submitted to the Director of Special Education as soon as practicable after an incident involving the seclusion of a student, but in no event later than 24 hours after the incident. Any use of seclusion is to be documented in the child's educational record, and, if appropriate, in the child's school health record.

Seclusion: The involuntary confinement of a student in a room, whether alone or with supervision by a Board of Education employee, in a manner that prevents the student from leaving. (*A student may not be placed in seclusion except as an emergency intervention to prevent immediate or imminent injury to the student or others. Seclusion may not be used to discipline a student, because it is convenient or instead of a less restrictive environment*.)

STUDENT INFORMATION:

Name of Student: _____ Date of seclusion: _____

Date of Birth: _____ Age: _____ Gender: M/F _____ Grade Level: _____

Does student currently receive special education services or is the student being evaluated for eligibility for special education services? Yes: _ No: ___ School: _____

Date of this report: _____ Site of seclusion: _____
This report prepared by: _____ Position: _____

Staff placing student in seclusion:

Name: _____ Title: _____
Name: _____ Title: _____
Name: _____ Title: _____

Staff monitoring seclusion:

Name: _____ Title: _____
Name: _____ Title: _____

Administrator who was verbally informed following the seclusion:

Name: _____ Title: _____

Reported by: _____Title: _____

PRECIPITATING ACTIVITY/DESCRIPTION OF SECLUSION:

Does the student have an IEP which includes the use of seclusion? Yes _____ No ____

If No: Description of the risk of immediate or imminent injury to the student secluded or others that required use of seclusion.

If Yes or No: Description of other steps, including attempts at verbal deescalation, to prevent the use of seclusion:

MONITORING OF SECLUSION

Regular evaluation of the student being secluded for signs of physical distress:

Time: _____ Evaluation:_____
Time: _____ Evaluation:_____
Time: _____ Evaluation:_____
Time: _____ Evaluation:_____
Time: _____ Evaluation:_____
Time: _____ Evaluation:_____
Time: _____ Evaluation:_____
Time: _____ Evaluation:_____

Time seclusion began:_____ Time seclusion ended:_____
Total time (in minutes): _____

CESSATION OF SECLUSION:

How seclusion ended *(check all that apply)*:

- ☐ Determination by staff member that student was no longer a risk to himself/herself or others
- ☐ Intervention by administrator(s) to facilitate deescalation
- ☐ Law enforcement personnel arrived
- ☐ Staff sought in-house assistance
- ☐ Community emergency personnel arrived
- ☐ Termination per instruction in IEP/behavior plan
- ☐ Other *(describe)*:

Description of any injury to student and/or staff and any medical or first aid care provided:

Time medical staff checked injured person:

_____

Medical staff actions:

_____

Medical staff name:

_____

Incident report was filed with the following school district official:

_____

Date:_____

FURTHER ACTION TO BE TAKEN: (Attach separate page if necessary)
The school will take the following actions (*check all that apply*)

☐ Review incident with student to address behavior that precipitated the seclusion
☐ Debrief staff regarding incident
☐ Consider whether follow-up is necessary for students who witnessed the incident
☐ Further contact with parents *(describe):*

☐ Convene Crisis Team Meeting
☐ Convene PPT to review/revise behavior intervention plan and/or IEP
☐ Convene PPT to discuss functional behavior assessment

PARENT/GUARDIAN NOTIFICATION *(required for all seclusions*):
Parent who was verbally informed of this seclusion:
Name: _____ Telephone Number: _____

Date: _____ Time: _____
Called by: _____ Title: _____
Notice mailed to Parent: Yes_____ No____
Mailed by: _____ Title: _____
Reviewed by:_____ Date: _____
(Program Administrator/ Team Leader)
Reviewed by:_____Date: _____
(Director of Special Education)

FOR DIRECTOR OR DESIGNEE USE ONLY

☐ Reviewed seclusion report
☐ Reviewed behavior plan, if applicable
☐ In considering the effect of the seclusion on the student's established behavioral support of educational plan, I find the following:

_____
_____
_____
_____
_____
_____
_____
_____

Form 3

(STATE INCIDENT REPORTING FORM)

Report of Seclusion or Restraint Incident Report

School District: _____ School: _____
Address: _____ Address: _____
Phone: _____ Phone: _____
Name and Title of Person Preparing the report:

_____

Incident: Seclusion _____ Restraint _____
Name of Student: _____ Student Disability: _____
Birth Date of Student: _____ Male/Female Race: _____

Describe the nature and use of seclusion: (Identify the emergency that necessitated the use of seclusion and how long the student was in seclusion.)

_____
_____
_____
_____
_____

Describe the nature and use of restraint: (Identify the emergency that necessitated the use of restraint, time in restraint and type of restraint used.)

_____
_____
_____
_____
_____

Was the parent contacted within twenty-four hours of the use seclusion or restraint as an emergency intervention to prevent immediate or imminent injury to the person or others?

Yes _____ No _____ If "No", did the parent receive a copy of the incident report no later than five days from the date of the incident? Yes __ No_____

Was the student injured during the emergency use of restraint or seclusion? Yes___ No If "Yes", complete and attach a Report of Injury.

ED 636: Seclusion/Restraint Report

Appendix A

RESTRAINT AND SECLUSION LAWS IN CONNECTICUT

The following sets forth Connecticut law related to the physical restraint and seclusion of persons at risk, which can be found in Public Act 07-157, amending Connecticut General Statutes Sections 46a-150 through 46a-153, 10-76b, and 10-76d and Public Act 15-141. EASTCONN mandates compliance with these laws at all times.

I. The following definitions apply to these procedures:

- **Life-threatening physical restraint** means any physical restraint or hold of a person that (restricts the flow of air into a person's lungs, whether by chest compression or any other means, or immobilizes or reduces the free movement of a person's arms, legs or head while the person is in the prone position.
- **Psychopharmacologic agent** means any medication that affects the central nervous system, influencing thinking, emotion or behavior.
- **School employee** means a teacher, substitute teacher, school administrator, superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional, or coach employed by the board of education or working in a public elementary, middle of high school; or any other individual who, in the performance of his/her duties has regular contact with students and who provides services to or on behalf of students enrolled in the district's schools, pursuant to a contract with the board of education.
- **Student** means a child (A) enrolled in grades kindergarten to twelve, inclusive, in a public school under the jurisdiction of a local or regional board of education, (B) receiving special education and related services in an institution or facility operating under contract with a local or regional board of education, (C) enrolled in a program or school administered by a regional education service center, or (D) receiving special education and related services from an approved private special education program, but shall not include any child receiving educational services from Unified School District #2 or the Department of Mental Health and Addiction Services.
- **Provider:** A person who provides direct care, or supervision of a person at risk.
- **Assistant Provider or Assistant:** A person assigned to provide, or who may be called upon in an emergency to provide, assistance or security to a provider or supervision of a person at risk.
- **Person at Risk:** A person receiving care or supervision in an institution or facility operated by, licensed or authorized to operate by or operating pursuant to a contract with the Departments of Public Heath, Developmental Services, Children and Families or Mental Health Addiction Services.
- **Life Threatening Physical Restraint:** Any physical restraint or hold of a person that restricts the flow of air into a person's lungs, whether by chest compression or any other means.

- **Physical Restraint:** Any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head, including, but not limited to carrying or forcibly moving a person from one location to another. **The term does not include**: (A) Briefly holding a person in order to calm or comfort the person; (B) restraint involving the minimum contact necessary to safely escort a person from one area to another; (C) medical devices, including, but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; (D) helmets or other protective gear used to protect a person from injuries due to a fall; (E) helmets, mitts and similar devices used to prevent self-injury when the device is part of a documented treatment plan and is the least restrictive means available to prevent such self-injury or an exclusionary time out.
- **Seclusion:** The involuntary confinement of a person in a room from which the person is physically prevented from leaving. Seclusion does not include an exclusionary time out.
- **Exclusionary Time Out:** The temporary, continuously monitored separation of a student from an ongoing activity in a non-locked setting, for the purpose of calming such student or deescalating such student's behavior.

II. Procedures for Physical Restraint of Persons at Risk

No school employee, provider or assistant shall under any circumstance use a life- threatening physical restraint on a person at risk.

No school employee, provider or assistant shall use involuntary physical restraint on a person at risk EXCEPT as an emergency intervention to prevent immediate or imminent injury to the person at risk or to others.

Physical restraint of a student or person at risk shall never be used as a disciplinary measure or as a convenience.

School employees, providers and assistants must explore all less restrictive alternatives prior to using physical restraint for a person at risk.

School employees, providers and assistants must comply with all regulations promulgated by the Connecticut State Board of Education in their use of physical restraint with a person at risk.

Monitoring

A school employee, provider or an assistant must continually monitor any student or person at risk who is physically restrained. The monitoring must be conducted by direct observation of the person at risk.

A school employee, provider or an assistant must regularly evaluate the person being restrained for signs of physical distress. The school employee, provider or assistant must record each evaluation in the educational record of the person being restrained.

Documentation and Communication

A school employee or provider must notify the parent or guardian of a student or person at risk of each incident that the person at risk is physically restrained.
The School Administrator/Director of Special Education must be notified of the following:

a. each use of physical restraint;
b. the nature of the emergency that necessitated its use; AND
c. if the physical restraint resulted in physical injury;

After a physical restraint occurs, the following information must be documented in the educational file of the student who was physically restrained:

d. in the case of an emergency use, the nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise;
e. a detailed description of the nature of the restraint;
f. the duration of the restraint; AND
g. the effect of the restraint on the person's established behavioral support or educational plan.

III. Procedures for Seclusion of a Student

No school employee shall use involuntary seclusion on a student EXCEPT as an emergency intervention to prevent immediate or imminent injury to the student or to others.

Seclusion of a student shall never be used as a disciplinary measure or as a convenience.
Seclusion shall not be utilized as a planned intervention in a student's behavioral intervention plan, individualized education program or plan pursuant to Section 504 of the Rehabilitation Act of 1973.

School employees, providers and assistants must explore all less restrictive alternatives prior to using seclusion. An Individualized Education Program Team ("IEP Team") may not incorporate the use of seclusion into a child's IEP.

School employees, providers and assistants must comply with all regulations promulgated by the Connecticut State Board of Education in their use of seclusion.

Monitoring

A school employee, provider or an assistant must frequently monitor any student who is placed in seclusion. The monitoring must be conducted by direct observation of the student.

A school employee, provider or an assistant must regularly evaluate the person in seclusion for signs of physical distress. The school employee, provider or assistant must record each evaluation in the educational record of the person who is in seclusion.

Documentation and Communication

A school employee, provider must notify the parent or guardian of a student of each incident that the student is placed in seclusion.

The Principal/Director of Special Education must be notified of the following:

a. each use of seclusion on a student;
b. the nature of the emergency that necessitated its use;
c. if the seclusion resulted in physical injury to the student; and

After seclusion occurs, the following information must be documented in the educational file of the student who was placed in seclusion:

a. in the case of an emergency use, the nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise;
b. a detailed description of the nature of the seclusion;
c. the duration of the seclusion; AND
d. the effect of the seclusion on the person's established behavioral support or educational plan.

IV. Exclusionary Time Out

Not later than January 1, 2019, the Board establishes the following requirements regarding exclusionary time outs, which include, but need not be limited to the following:

1. exclusionary time outs are not to be used as a form of discipline;

2. at least one school employee remain with the student, or be immediately available to the student such that the student and school employee are able to communicate verbally, throughout the exclusionary time out;

3. the space used for an exclusionary time out is clean, safe, sanitary and appropriate for the purpose of calming such student or deescalating such student's behavior;

4. the exclusionary time out period terminate as soon as possible; and

5. if such student is a child requiring special education, as defined in C.G.S. 10-76a, or a child being evaluated for special education, pursuant to C.G.S. 10-76d, and awaiting a determination, and the interventions or strategies are unsuccessful in addressing such student's problematic behavior, such student's planning and placement team shall convene as soon as is practicable to determine alternative interventions or strategies.

V. Responsibilities of the Superintendent/Director of Special Education

The Superintendent/Director of Special Education, or his or her designee, must compile annually the instances of physical restraint and seclusion within the District and the nature of each instance of physical restraint and seclusion.

The Superintendent/Director of Special Education, or his or her designee, shall report to the Connecticut State Department of Education any instance of physical restraint or seclusion that resulted in physical injury to the person at risk.

The Director of Special Education, or his or her designee, must, at each initial IEP Team meeting for a child, inform the child's parent, guardian, or surrogate parent, or the student if such student is an emancipated minor or eighteen years of age or older, of the laws relating to physical restraint and seclusion as expressed through this regulation, and of the laws and regulations adopted by the Connecticut State Board of Education relating to physical restraint and seclusion.

VI. **Responsibilities** of the Connecticut State Board of Education

The State Board of Education shall review the annual compilation of each local and regional board of education and shall produce an annual summary report identifying the frequency of use of physical restraint or seclusion on students and specifying whether the use of such seclusion was in accordance with an individualized education program (IEP) or whether the use of such physical restraint or such seclusion was an emergency. Such report shall be submitted on an annual basis as specified by the Department of Education.

The State Board of Education and the Commissioner receiving a report of serious injury or death resulting from a physical restraint or seclusion shall report the incident to the Director of the Office of Protection and Advocacy for Persons with Disabilities and, if appropriate, the Child Advocate of the Office of the Child Advocate.

The State Board of Education may regulate the use of physical restraint and seclusion of special education students in the public schools.

The State Board of Education shall adopt regulations concerning the use of physical restraint and seclusion in public schools.