

Procedures for Seclusion & Restraint

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Introduction

Our district is focused on preventing the need for more intense practices – including seclusion and restraint – by supporting practices that include proactive strategies for defining, teaching and supporting appropriate student behaviors to create positive school environments.

- A continuum of positive behavioral support for students within all school environments is implemented.
- These procedures govern the practices of seclusion and restraint in our district. The need for these practices often arise during the management of student behavior in emergency and crisis situations and apply to all students, including students with disabilities.
- The use of seclusion, as defined in these procedures, is prohibited by our district.
- The physical restraint and related procedures defined here are restricted for use only when the student's actions pose a clear, present and imminent danger to self and/or others, and the student has the ability to cause such harm.

Definition of seclusion

- ◆ Seclusion, as defined in these procedures, is prohibited by our district.
 - Seclusion is one component of an array of practices known as time out from positive reinforcement, or more commonly referred to simply as time out.
 - For the purposes of this document, seclusion is defined as the involuntary confinement of a student alone in a room or area where the student is prevented from leaving.
 - Because seclusion includes involuntary confinement, it often requires some degree of physical force and/or restraint.
- ◆ It is important to note that not every removal of a student involves seclusion.
 - Whenever a student is involuntarily confined alone in a room or area where the student is prevented from leaving, this situation is considered to be seclusion, regardless of a different name given to the area.
 - If the student is not alone, it is not seclusion, and if the student is not prevented from leaving, it is not seclusion.
 - Instances where the student voluntarily removes him or herself to a private area for the purpose of calming down or de-escalating would not be considered seclusion because the student is not involuntarily confined and not prevented from leaving an area.
- ◆ Two types of time out that these guidelines do not cover include inclusionary time out and exclusionary time out.
 - Inclusionary time out involves situations where the student remains in the classroom; therefore, the student maintains the ability to see and hear classroom instruction.
 - Example, the student is sent away from his or her desk and to the back of the room.
 - Exclusionary time out occurs when a student is sent to an environment where the student is no longer able to access what is happening in the classroom; however, the student maintains access to students and/or staff.

- Examples of exclusionary time out include
 - » sending the student to another classroom;
 - » sending the student to the principal's office
 - » sending the student to in-school-suspension; or
 - » sending the student to detention.

Definition of and directives for the use of physical restraint

Our district strongly discourages the use of physical restraint, except in emergency situations to prevent immediate danger or possible injuries to the student or others in the environment when a student is in crisis.

- For the purposes of these procedures, physical restraint is defined as a personal restriction that immobilizes or reduces the ability of an individual to move his or her arms, legs or head freely.
 - Physical restraint includes the holding of a student for any purpose other than providing safety and support.
 - Physical restraint does not include temporarily holding an individual to help him or her participate in education or daily living activities.
- Since state law does not currently ban the use of physical restraint in the public school environment, it is the purpose of these procedures to restrict the use of physical restraint to instances where the student's behavior poses a threat of imminent, serious, physical harm to self and/or others.
- When physical restraint is used, the following guidelines must be followed:
 - Physical restraints to control behavior should only be used when the student's actions pose a clear, present, and imminent danger to self and/or others and the student has the ability to cause such harm.
 - Physical restraints to control behavior should only be used when less restrictive measures have not effectively de-escalated the risk of injury.
 - The physical restraint utilized should last only as long as necessary to resolve the actual risk of danger or harm.
 - The degree of force applied may not exceed what is necessary to protect the student or other persons from bodily injury.
 - Prone restraints (with the student face down on his or her stomach) or supine restraints (with the student face up on the back) or any maneuver that places pressure or weight on the chest, lungs, sternum, diaphragm, back, neck or throat are prohibited.
 - Physical restraint procedures should never be used as a punishment, to force compliance or as a substitute for appropriate educational support.
 - Physical restraints should never be used for the purpose of managing student behavior, addressing non-compliance, or responding to students running away unless there is imminent risk of injury related to that flight.
 - Physical restraints should never be used as a response to property destruction.
 - Physical restraints should never be used as a response to a student using profanity or other verbal displays of disrespect for him or herself or others, unless the student demonstrates a means of or intent to carry out the threat.

Number of persons appropriate for a physical restraint event

Most restraint protocols describe two forms of restraint.

- The first is a one-person restraint, and is usually referred to by terms such as basket hold, child restraint or children's control position.
 - While these positions are, as described, one school personnel holding one student, it is always advisable to have at least one additional adult present to observe the event and be available to assist if needed.
 - Additional personnel may help with managing other individuals in the vicinity, removing potentially dangerous objects, contacting others who may be needed or other duties to support the safety of both students and personnel.
- The second form of restraint is often called team restraint.
 - This procedure involves at least two adults in direct contact with the individual, and one or two others close by to ensure safety and watch for issues and concerns.
 - When physical restraint is used, it is important to manage the presence of others so as not to escalate the situation or create additional safety concerns by the presence of too many onlookers and bystanders.
- For physical restraint to be used only in emergency situations and as a last resort, it is essential that proper behavioral interventions and de-escalation techniques are utilized beforehand and incidents of physical restraint are documented.
- Staff members who are involved must complete training in positive behavioral prevention techniques, de-escalation techniques and approved physical restraint techniques as described later in this procedure.

Required documentation of the use of physical restraint

Each incident of physical restraint must be carefully documented.

- Documentation must include
 - date and time of the incident
 - actions attempted prior to restraint to manage or de-escalate the situation;
 - location of the restraint;
 - a clear description of the safety concerns posed to self and/or others;
 - a description of the physical restraint techniques used;
 - names and position titles of the personnel involved with the incident;
 - the student's behavior before, during, and after restraint;
 - date and time the administrator was notified;
 - date and time the student's parent(s) were notified, and by whom;
 - name and position of person completing the documentation; and
 - amount of time the student was restrained.
- An administrator or designee must
 - contact the student's parent(s) by the parents' preferred method of communication on the day the physical restraint occurs.

- if the administrator or designee is unable to reach the parent(s), documentation of efforts to reach them must be recorded.
- write and place a summary of the physical restraint incident in administrator's files.
- give parents, upon request, access to and an opportunity to review the summary.

Required staff de-briefing

Our district also requires that a staff-debriefing occur no later than 24 hours or one school day after every incident of physical restraint. This de-briefing should include

- All participants involved in the restraint situation and an administrator – parent(s) may also be invited to participate..
- Another staff member familiar with positive behavioral supports, de-escalation, and approved physical restraint techniques, and who was not involved in the restraint procedure may also be included.
- A focus on relevant conditions that preceded the behavior of concern, alternate interventions that were used in an attempt to de-escalating the behavior, and how a similar event could be avoided in the future; and
- A summary of the staff de-briefing must be placed in the administrator's files.
- Upon request, parents must have access to and an opportunity to review this report.

Escorting a student

Escorting is defined as limited physical encouragement to help a student move from one location to another.

- The escort must not reach the level of physically forcing compliance.
- The student must be able to move or not move on their own volition; in these situations the student is willingly responding to the encouragement for movement.
- Examples of escort techniques include a hand on the back or a hand on the elbow.
- Gripping any part of the person's body is not considered escorting.

Mechanical restraints

- The use of mechanical restraints in LCSD is prohibited.
- A mechanical restraint is defined as a device that restricts the movement or function of a child or portion of a child's body.
- Examples of a mechanical restraint include, but are not limited to
 - ties,
 - belts,
 - handcuffs,
 - straps,
 - tape or
 - in certain instances adaptive equipment such as therapeutic chairs.
- **Note:** Our district's prohibition of mechanical restraints does **NOT** prohibit the appropriate use of adaptive equipment.

- For example, adaptive seating products promote seating alternatives for students with a wide range of neuromuscular and orthopedic disabilities.
- Use of these chairs with orthopedically-challenged students is a form of therapeutic positioning that enables functional skills while encouraging comfortable engagement in classroom activities.
- Adaptive products, such as Rifton chairs or therapeutically prescribed devices –for example, weighted vests – must be used in accordance with the manufacturer's recommended usage.
- In no case, should a school official place a child in an adaptive seat in such a manner that constitutes a mechanical restraint.
- Positioning in an adaptive seat is not to be used to prevent mobility, or as a behavioral consequence.
- Note that some devices – for example, helmets – are used as safety devices for individual students.

Chemical restraints

Medication for safety or behavioral supports is a medical issue, and must be determined by medical personnel.

Training requirements for the use of de-escalation and restraint

- Staff must be trained in a nationally-recognized, professional development training program.
- The program should include
 - Training conducted by a credentialed trainer;
 - An emphasis on prevention of behavior problems through a positive behavioral supports climate;
 - An emphasis on conflict prevention and conflict management skills;
 - An emphasis on de-escalation skills to enable staff members to respond to students in ways more likely to calm and not escalate the situation;
 - Training that includes personal safety skills for those working with students who present safety concerns;
 - Awareness training about the physical and emotional risks of escalation and restraint;
 - Assessment of skills learned by those trained to ensure appropriate skills are in place;
 - A process to review training on an annual basis, and more frequently as the needs of the students require;
 - A certificate or other credential documenting successful completion of the training; and;
 - A prohibition on the use of prone restraints (with the student face down on his/her stomach) or supine restraints (with the student face up on the back) or any maneuver that places pressure or weight on the chest, lungs, sternum, diaphragm, back, neck, or throat.

Personnel who should be trained

- Schools should determine which personnel need restraint training based on students' needs.
- In making this determination it is important to train an adequate number of personnel who will be available in the event that restraint is employed.

Adopted Feb. 1, 2012

Constitutional and Statutory Provisions

South Carolina Code, 1976, as amended

- Section 16-3-510 – Organizations and entities revised.
- Section 59-5-65 – The Model Safe Schools Checklist
- Section 59-19-90 – General powers and duties of school trustees.
- Sections 59-63-210 through 270 – Grounds for which trustees may expel, suspend or transfer pupils; petition for readmission; notices and parent conferences; expulsion for remainder of year and hearings; transfer of pupils; corporal punishment; regulation or prohibition of clubs or like activities.
- Section 59-63-275 – Student hazing prohibited.
- Section 59-67-240 – Other duties of bus driver; discipline of students for misconduct.
- Section 59-63-110, et. seq. – Safe School Climate Act.

State Board of Education Regulations

- R43-279 - Minimum standards of student conduct and disciplinary enforcement procedures to be implemented by local school districts.