

School City of East Chicago

SECLUSION AND RESTRAINT PLAN

I. INTRODUCTION:

Indiana Code 20-20-40 provides for the creation of the Commission on Restraint and Seclusion in Schools to provide guidance to schools regarding the limited use of either seclusion or restraint. The Commission, in its proposal to the Indiana General Assembly, stated the following:

Behavioral interventions for children must ensure the right of all children to be treated with dignity and respect. All children have the right to be free from physical or mental abuse, aversive behavioral interventions that compromise health and safety, and any physical seclusion or restraint imposed solely for purposes of discipline or convenience. Seclusion or restraint shall not be used as routine school safety measures; that is, they shall not be implemented except in situations where a child's behavior or action poses imminent danger of physical harm to self or others and not as a routine strategy implemented to address instructional problems or inappropriate behavior (e.g., disrespect, noncompliance, insubordination, out of seat), as a means of coercion or retaliation, or as a convenience. Any use of either seclusion or restraint shall be supervised, short in duration and used only for the purposes of deescalating the behavior.

Local school corporations are required to respond with a Seclusion and Restraint policy and a Plan. The School City of East Chicago has responded with Policy 5630.1 **Use of Seclusion and Restraint with Students**, which directs the Director of Special Education to develop a "Seclusion and Restraint Plan" that, at a minimum incorporates the guidelines from the Commission and specifies the training required, notification procedures, and timelines. The following is the **Seclusion and Restraint Plan**.

II. PERTINENT DEFINITIONS

Behavioral intervention plan (BIP): means a plan that is agreed upon by the case conference committee and incorporated into a student's individualized education program (IEP) for students who have been found eligible for Special Education. A behavioral plan may also be developed for students outside of Special Education. A BIP, at a minimum, describes the following:

- (1) The pattern of behavior that impedes the student's learning or the learning of others.

(2) The purpose or function of the behavior as identified in a functional behavioral assessment.

(3) The positive interventions and supports, and other strategies, to:

(A) Address the behavior; and

(B) Maximize consistency of implementation across people and settings in which the student is involved.

(4) If applicable, the skills that will be taught and monitored in an effort to change a specific pattern of behavior of the student.

The behavioral intervention plan seeks to maximize consistency of implementation across people and settings in which the student is involved.

Chemical Restraint: the administration of a drug or medication to manage a student's behavior or restrict a student's freedom of movement that is not a standard treatment and dosage for the student's medical or psychiatric condition.

Crisis Intervention Training: training provided to selected staff members which addresses how to deal with aggressive, violent or out of control behaviors. It includes specific techniques for seclusion and restraint and could result in certification of the individuals who complete the training.

De-Escalation: causing a situation to become more controlled, calm and less dangerous, thus lessening the risk for injury to someone.

Employee: means all paid school staff, volunteers, contract employees, consultants or any other agents of the school or corporation.

Behavioral Assessment (BA): ongoing process of gathering information that can be used to hypothesize about the FUNCTIONAL, PRECIPITATING, AND/OR ENVIRONMENTAL factors of student behavior. The analysis provides the information necessary to develop a behavior intervention plan.

Imminent: Likely to happen right away; within a matter of minutes.

Mechanical restraint: means the use of (1) a mechanical device (2) a material or (3) equipment attached or adjacent to a student's body that the student cannot remove and that restricts the freedom of movement of all or part of the student's body or restricts normal access to the student's body. The term does not include (1) mechanical devices, (2) a material or (3) equipment used as prescribed by a doctor, Occupational Therapist or Physical Therapist.

Parent or guardian: the student's parent, legal guardian, surrogate parent or student over the age of 18.

Physical Restraint: physical contact between a school employee and a student in which the student unwillingly participates and that involves the use of a manual hold to restrict freedom of movement of all or part of a student's body or to restrict normal access to the student's body. The term does not include

- (1) Briefly holding a student without undue force in order to calm or comfort the student, or to prevent unsafe behavior, such as running into traffic or engaging in a physical altercation,
- (2) Physical escort, or
- (3) Physical contact intended to gently assist or prompt a student in performing a task or to guide or assist a student from one area to another.

Positive Behavior Intervention and Support: a systematic approach that uses evidence based practices and data driven decision making to improve school climate and culture, and includes a range of systematic and individualized strategies to reinforce desired behavior and diminish reoccurrence of problem behavior to achieve improved academic and social outcomes and increase learning for all students

Prevention and Conflict De-escalation Training: training which is provided broadly to school staff on how to prevent, defuse and de-escalate potential behavioral crisis situations.

Prone physical restraint: the person is being held face down lying on their stomach on a horizontal surface such as the floor.

Seclusion: means the confinement of a student alone in a room or area from which the student physically is prevented from leaving. The term does not include a supervised time-out or scheduled break, as described in a student's individualized education Behavior Intervention Plan, in which an adult is continuously present in the room with the student.

Seclusion is not individual or small group interaction with a student by an adult to assist the student in regaining control of their behavior or emotions, so that the student may return to the routine.

Staff: means all paid school staff, volunteers, contract employees, consultants or any other agents of the school or corporation.

Staff Trained in Crisis Intervention: individuals who successfully complete and maintain certification in a training program that results in acquisition of skills to prevent restraints, evaluate risk of harm in an individual situation, use approved restraint techniques and monitor the effect of the restraint.

Substantial risk: situation where there is serious, imminent threat of bodily harm and where there is the immediate ability to enact such harm.

Supine physical restraint: a person is being held face up on their back on a horizontal surface such as the floor.

Time out: means a behavior reduction procedure in which access to reinforcement is withdrawn for a certain period of time. Time-out occurs when the ability of a student to receive normal reinforcement in the school environment is restricted. Time-out shall be both developmentally and behaviorally appropriate and shall be short in duration.

III. USE OF SECLUSION

A. Seclusion shall only be used when a student is displaying physical behavior that presents substantial imminent risk to the student or others, and the threat could be diminished if the student was in a safe environment away from other students and staff.

B. Seclusion shall only be employed as a last resort after other methods of de-escalating a dangerous situation have been attempted.

C. Seclusion shall only be used as long as necessary and shall be discontinued when the student is no longer an imminent threat to others.

D. Seclusion shall only be employed by staff members who have received specific School City of East Chicago approved crisis intervention training in the use of seclusion procedures.

E. Time-out is a behavior reduction procedure in which access to reinforcement is withdrawn for a certain period of time. Time-out occurs when the ability of a student to receive normal reinforcement in the school environment is restricted. Time-out shall be both developmentally and behaviorally appropriate and shall be short in duration.

F. All seclusion environments shall be inspected and shall:

1. Be of reasonable size to accommodate the student and at least one adult.
2. Be of reasonable size to permit students to lie or sit down.
3. Have adequate ventilation including heat and air conditioning as appropriate.

4. Have adequate lighting.
5. Be free of any potential or predictable safety hazards such as electrical outlets, equipment, and breakable glass.
6. Permit direct continuous visual and auditory monitoring of the student.
7. Permit automatic release of any locking device if fire or other emergency in the school exists.
8. If locked, shall be automatically released after five minutes or with any building wide alarm (such as fire, tornado or code red alarm).
9. Shall meet current fire and safety codes.

IV. WHEN SECLUSION PROCEDURES SHALL NOT BE EMPLOYED

- A. When the substantial imminent risk of injury no longer exists.
- B. Seclusion shall never be used unless a staff member can continuously monitor the student for visual or auditory signs of physiological distress, and can communicate with the student.
 1. Students shall be permitted to use the restroom upon request, and be escorted to and from the restroom.
 2. Students shall be provided water on request.
- C. Seclusion shall never be used as a punishment, or to force compliance with staff commands.

V. USE OF RESTRAINT

- A. Restraint shall only be used when a student is displaying physical behavior that presents substantial imminent risk of injury to the student or others.
- B. Restraint shall only be employed as a last resort after other methods of deescalating a dangerous situation have been attempted without success.
- C. Restraint shall only be employed by staff members who have received crisis intervention training by the school in the use of restraint procedures with the following exceptions:
 1. Other school personnel may employ restraint procedures only in rare and clearly unavoidable emergency circumstances when fully trained school

personnel are not immediately available. Untrained staff shall request assistance from trained staff as soon as possible.

2. Restraint of a student shall be conducted in a manner consistent with the techniques prescribed in crisis intervention training program.

D. Restraint shall last only as long as is necessary for the student to regain behavioral stability, and the risk of injury has ended, usually a matter of minutes.

E. The degree of restriction employed must be in proportion to the circumstances of the incident, the size and condition of the student, and the potential risks for injury to the student.

F. Mechanical or chemical restraints are not authorized in school.

G. Prone or Supine forms of restraint are not authorized and shall be avoided.

H. Seclusion or restraint shall never be used in a manner that restricts a child's breathing or harms the child.

I. Every instance in which seclusion or restraint is used shall be carefully, continuously and visually monitored to ensure the appropriateness of its use and safety of the child, other children, teachers, and other personnel

VI. WHEN RESTRAINT PROCEDURES SHALL NOT BE EMPLOYED

A. Restraint shall not be used unless there is imminent risk of injury to someone by the student.

B. A verbal threat or verbally aggressive behavior does not itself indicate an imminent risk of injury, and shall not result in restraint.

C. Destruction or damage to property does not constitute a risk of imminent injury unless in so doing a risk of injury to the student or others is created.

D. Restraint shall never be used as a punishment, or to force compliance with staff commands.

VII. INFORMING PARENTS AND GUARDIANS GENERALLY

All student handbooks shall include a statement similar to this:

As a part of the emergency procedures in place in our schools, no student will be placed in seclusion and/or restrained by school staff unless the student's behavior poses an imminent risk of injury to him/herself or others. However, significant violations of the law including assaults on students and staff will be reported to the police. As soon as

possible after any such use of restraint and/or seclusion, the parents or guardian will be informed when any of these actions have occurred and will be provided with a detailed account of the incident including the circumstances that led to the use of seclusion and or restraint.

VIII. TRAINING

A. School City of East Chicago will provide staff members with basic training regarding conflict de-escalation procedures and effective alternatives to seclusion and physical restraint. They will be provided with training regarding the parameters for utilizing seclusion and physical restraint with a student as outlined by this plan. A core group of personal in each building will be trained in Crisis Intervention Techniques, which will include the use of seclusion and restraint procedures. School City of East Chicago will provide staff with the procedures for contacting full trained staff in their building when a behavioral crisis occurs.

B. Training will be given to existing staff members during late start Wednesday throughout the year until all staff has been trained.

C. This training will be recurrent and will be provided to new staff.

D. School City of East Chicago will determine a specific curriculum and method of providing training related to seclusion or restraint through Crisis Prevention Interventions (CPI).

E. A core group of appropriate personnel will be trained in each building in crisis intervention techniques which will include the use of seclusion and restraint procedures.

F. The core group will be considered to be the staff members who have a valid certification from CPI (Blue or Green CPI Card).

IX. Reporting, Documentation and Debriefing Requirements

A. Immediately after the student has restored emotional and behavioral control following the use of restraint and/or seclusion, ***a staff member not involved with the incident shall examine the student to ascertain if any injury has been sustained during the seclusion or restraint.***

B. The building administrator or designee will verbally notify the parent/guardians as soon as possible (no later than the end of the school day in which the seclusion or restraint occurs).

1. The Principal or designee will update the parent/guardian on the student's current physical and emotional state and

2. Will discuss strategies to assist the parent/guardian in dealing with any residual effects of the incident.

C. The incident of Seclusion and/or Physical Restraint must be reported to CPI training coordinator by email.

D. Seclusion/Restraint Incident Report

1. Staff involved in the use of seclusion or restraint will contribute in a **Seclusion/Restraint Incident Report** as soon as practical after the use of seclusion or restraint. This Report utilizes the **CPI COPING Method**, which is also included.

2. The building administrator or designee will send a copy of the written report to the parent or guardian documenting the use of seclusion or restraint, and will place a copy of the report in the student's confidential file.

3. A copy of the incident report, along with the Staff Processing of Seclusion and/or Restraint report discussed below shall also be sent to Catherine Verkuilen within 2-days of the event with the following included at a minimum:

1. The student's name;

2. The racial/ethnic status of the student;

3. The date and time of the incident;

4. The duration of any seclusion or restraint; or the beginning and ending times of the restraint and/or seclusion;

5. A description of any relevant events leading up to the incident;

6. A description of any interventions used prior to the implementation of seclusion or restraint;

7. A description of the incident and/or student behavior that resulted in implementation of seclusion or restraint including a description of the danger of injury which resulted in the seclusion or restraint

8. A log of the student's behavior during seclusion or restraint, including a description of the restraint technique(s) used and any other interaction between the student and staff;

9. A description of any injuries (to students, staff, or others) or property damage;

10. A description of the planned approach to dealing with the student's behavior in the future;

11. A list of the school personnel, who participated in the implementation, monitoring, and supervision of seclusion or restraint and whether they had training related to seclusion or restraint;

12. The date and time on which the parent or guardian was notified;

13. If the student has a disability (IDEA or Section 504), the type of disability.

E. Further, it is expected that each staff member involved in an incident will engage in a de-briefing or processing session(s) in order to determine what could have been done to prevent the future need for use of seclusion or restraint for this student specifically and for other students in similar situations. This is done by the completion of a Seclusion and or Restraint Incident Report.

1. The administrator will provide support to the staff member and determine when the staff member shall return to his or her duties.

2. The student, with assistance from staff, will process the event at the earliest appropriate time.

3. The staff member's supervisor or designee shall complete and file the form.

X. Annual Review, Planning Process and Oversight

A. The Director of Special Education (or designee) will be designated as the coordinator of data, planning and oversight of the use of seclusion or restraint procedures.

B. The School City of East Chicago shall establish a Committee or use a standing committee to conduct an annual review of all individual and program-wide data associated with this policy. The Committee shall review the following components related to the use of restraint:

1. Incident reports;

2. Procedures used during restraint, including the proper administration of specific School City of East Chicago approved restraint techniques;

3. Preventative measures or alternatives tried, techniques or accommodations used to avoid or eliminate the need of the future use of restraint;

4. Documentation and follow up of procedural adjustments made to eliminate the need for future use of restraint;

5. Injuries incurred during a restraint;
6. Notification procedures;
7. Staff training needs;
8. Specific patterns related to staff or student incidents;
9. Environmental considerations, including physical space, student seating arrangements, and noise levels.

C. Upon review of the data, the Committee shall identify any issues and/or practices that require further attention and provide written recommendations to the Superintendent of Schools for changes in policies or practices.

D. the Committee can recommend review of the training program to ensure the most current knowledge and techniques are reflected in the School City of East Chicago training curriculum.

XI. Reporting

The School City of East Chicago requires that every crisis requiring non-violent physical restraint or seclusion be documented. There are three required methods of documentation:

1. Notation on the RDS system if there was seclusion (that meets the above-stated definition) or non-violent physical restraint (refer to the definition above,
2. Seclusion/Restraint Incident Record, (refer to forms)
3. Staff Processing of the Seclusion/Physical Restraint Report (includes the COPING Method reporting form);

RDS Notation:

In instances where seclusion and/or physical restraint (as per CPI procedures) have been employed it is imperative that the Building Principal contact the CPI training coordinator by email and report the seclusion and or physical restraint.

XII. Form

Seclusion and or Restraint Incident Report