

Positive Behavior Interventions and Support Restraint & Seclusion Policy

I. Purpose:

The purpose of this policy is to guide the school's use of positive behavior intervention and supports, and the limited use of restraint and seclusion.

Every effort should be made to prevent the need for the use of restraint and for the use of seclusion. The use of a non-aversive effective behavioral system such as Positive Behavioral Intervention and Supports (PBIS) shall be used to create a learning environment that promotes the use of evidence-based behavioral interventions, thus enhancing academic and social behavioral outcomes for all students.

Restraint or seclusion shall not occur, except when there is an immediate risk of physical harm to the student or others, and shall occur only in a manner that protects the safety of all children and adults at school. Every use of restraint or seclusion shall be documented and reported in accordance with the requirements set forth herein.

II Access to this Policy:

This policy shall be kept at the school and be available to parents at all reasonable times.

III. Adherence:

Practices that do not adhere to the standards and requirements set forth in this policy are prohibited, and physical restraint and seclusion shall not occur, except when there is an immediate risk of physical harm to the student or others. The school shall utilize physical restraint and seclusion only in a manner that protects the safety of all children and adults at school.

IV. Definitions:

Aversive behavioral interventions - means an intervention that is intended to induce pain or discomfort to a student for the purpose of eliminating or reducing maladaptive behaviors, including interventions such as: application of noxious, painful and/or intrusive stimuli, including any form of noxious, painful or intrusive spray, inhalant or tastes.

Chemical Restraint - means a drug or medication used to control a student's behavior or restrict freedom of movement that is not:

D. A surrogate parent who has been appointed in accordance with rule 3301-51-05(E) of the Administrative Code; or

E. Any person identified in a judicial decree or order as the parent of a child or the person with authority to make educational decisions on behalf of a child.

Physical escort - means the temporary touching or holding of the hand, wrist, arm, shoulder, waist, hip, or back for the purpose of inducing a student to move to a safe location.

Physical Restraint – means the use of physical contact that immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely. Such term does not include a physical escort, mechanical restraint, or chemical restraint. Physical restraint does not include brief, but necessary physical contact for the following or similar purposes:

- to break up a fight;
- to knock a weapon away from a student's possession;
- to calm or comfort;
- to assist a student in completing a task/response if the student does not resist the contact; or
- to prevent an impulsive behavior that threatens the student's immediate safety (e.g., running in front of a car).

Positive Behavior Interventions and Support - means:

A. A school-wide systematic approach to embed evidence-based practices and data driven decision making to improve school climate and culture in order to achieve improved academic and social outcomes, and increase learning for all students, and

B. Encompasses a wide range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors and teach appropriate behavior to students.

Positive Behavior Support Plan - means the design, implementation, and evaluation of individual or group instructional and environmental modifications, including programs of behavioral instruction, to produce significant improvements in behavior through skill acquisition and the reduction of problematic behavior.

Prone Restraint - means physical or mechanical restraint while the student is in the face down position.

student's needs and more effective ways of addressing those needs. If necessary, this functional behavioral assessment should be followed by a behavioral intervention plan that incorporates appropriate positive behavioral interventions.

VIII. Seclusion

- A. Seclusion may be used only when there is an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible. Seclusion shall never be used as a punishment or to force compliance. Seclusion should only be used in a manner that is age and developmentally appropriate. School personnel may use seclusion only in accordance with local policy and the requirements of this policy.
- B. Seclusion is a last resort safety intervention that provides an opportunity for the student to regain self-control.
- C. A room or area used for seclusion must:
 - 1. provide for adequate space, lighting, ventilation, clear visibility and the safety of the student; and
 - 2. not be locked.
- D. Seclusion shall not be used:
 - 1. for the convenience of staff;
 - 2. as a substitute for an educational program;
 - 3. as a form of discipline/punishment;
 - 4. as a substitute for less restrictive alternatives;
 - 5. as a substitute for inadequate staffing;
 - 6. as a substitute for staff training in positive behavior supports and crisis prevention and intervention; or
 - 7. as a means to coerce, retaliate, or in a manner that endangers a student.
- E. If seclusion is used, staff must:
 - 1. Be appropriately trained to protect the care, welfare, dignity, and safety of the student;
 - 2. Continually observe the student in seclusion for indications of physical or mental distress and seek immediate medical assistance if there is a concern;

XI. Monitoring and Complaint Processes

The school shall make its records concerning restraint and seclusion available to staff from the Ohio Department of Education upon request.

A. School Monitoring and Complaint Procedures

To ensure that practices are implemented as set forth in this policy, the school shall:

1. Provide a procedure for a parent to present written complaints to the school leader to initiate a complaint investigation by the school regarding an incident of restraint or seclusion; and
2. Respond to the parent's complaint in writing within thirty (30) days of the filing of a complaint regarding an incident of restraint or seclusion.

B. Availability of IDEA Complaint Process to Students with Disabilities

The parent of a student with a disability may choose to file a complaint with the Ohio Department of Education, Office for Exceptional Children, in accordance with the complaint procedures available concerning students with disabilities. In accordance with the consent order entered in *Doe v. State of Ohio*, complaints alleging the improper use of restraint or seclusion on a student with a disability will be investigated by the Ohio Department of Education, Office for Exceptional Children, if the complaint otherwise falls within the procedures concerning state complaints under IDEA as set forth in Ohio Adm. Code Rule 3301-51-05(K)(4)-(6). Complaints alleging injuries to a student with a disability or the use of restraints or seclusion shall not be deemed insufficient on the face of the complaint if they are framed within the context of IDEA, including:

- A pattern of challenging behaviors that are related to the student's disability;
- Whether the student has had or should have had a functional behavioral assessment (FBA) and a positive behavior support plan (PBSP);
- Whether the FBA and PBSP are appropriate;
- Whether the student's behavior and interventions are addressed or should have been addressed in the IEP; and
- Whether staff has been sufficiently trained in de-escalation and restraint techniques.

Describe any injuries to the student or school employees:

Describe future alternatives to physical restraint that will be utilized:

Signature of person completing form _____ Date _____

Signature of witness: _____ Date _____ __ agree __ *Disagree

Signature of witness: _____ Date _____ __ agree __ *Disagree

Signature of witness: _____ Date _____ __ agree __ *Disagree

*Team members who disagree may submit separate statements presenting their conclusions (complete comment form as necessary).

Time and type of Notification to Parent or Guardian _____ By whom _____

Time and type of Notification to Building Administrator _____ By whom _____

Date this information was provided to parent _____ By whom _____

Findings of debriefing meeting:

Seclusion Documentation Form

Student Name _____ Date of Incident _____

Time incident began _____ Time incident ended _____

Location of incident:

School personnel involved in incident:

Describe the student's activity and behavior immediately preceding the behavior that prompted the use of seclusion:

Describe efforts of school personnel to de-escalate the situation, and alternatives that were utilized prior to seclusion:

Provide a description of the seclusion:

Describe the actions of the student and school personnel that occurred during the use of seclusion:

Describe observed student and school employee behaviors that followed the use of seclusion:

Describe de-escalation techniques and interventions utilized following the use of seclusion:

Signature: _____ Date _____ ___ agree ___ *Disagree

Signature: _____ Date _____ ___ agree ___ *Disagree

Signature: _____ Date _____ ___ agree ___ *Disagree

Signature: _____ Date _____ ___ agree ___ *Disagree

Signature: _____ Date _____ ___ agree ___ *Disagree

Signature: _____ Date _____ ___ agree ___ *Disagree

Signature: _____ Date _____ ___ agree ___ *Disagree

*Team members who disagree may submit separate statements presenting their conclusions (complete comment form as necessary).

(If parents/guardians did not attend the de-briefing meeting, explain other methods to ensure parent/guardian participation and/or child as appropriate - conference call, videoconference, home visit, etc.)