

RESTRAINT OR SECLUSION POLICY

Restraint and seclusion shall be implemented in a nondiscriminatory manner. Interventions authorized by this policy may be applied to any student enrolled in the Leeds Public School District so long as such interventions are implemented in compliance with this policy.

Definitions

For the purpose of this policy:

- *Dangerous behavior* is violent, disturbed, or depressed behavior which may **immediately** result or has resulted, in harm to that person or other persons.
- *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.
- *Mechanical restraint* is any device or object used to restrict or limit a student's body movement or any normal function of any portion of his/her body to prevent or manage dangerous behavior. Mechanical restraints are prohibited in the Leeds Public School District. Mechanical restraints do not include devices used by trained school personnel or by a student him/herself for approved therapeutic or safety purposes for which devices were designed and, if applicable, prescribed.
- *Physical restraint* is the use of physical intervention intended to hold a student immobile or limit a student's movement by using body contact as the only source of restraint to deescalate dangerous behavior. This definition excludes physical prompts and physically escorting a student so long as the physical prompt/escort does not render a student immobile.
- *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. Under this policy, it is defined as methods used to identify students who exhibited past incidents of dangerous behavior or exhibit the potential to engage in such behavior in the future. The Superintendent 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.
- *Seclusion* is placing a student in a room or limited space alone to deescalate dangerous behavior except for the presence of a staff monitor who shall monitor the student directly in the space or immediately outside it. This definition excludes timeouts, disciplinary sanctions designed to penalize students by separating them from the student population (such as, but not limited to, detention and in-school suspension), alternative placement (which is often used to separate the student from the student population for safety reasons).
- *Timeout* is a behavior intervention strategy that occurs when the ability of a student to receive normal reinforcement in the environment is restricted. Timeout may be inclusionary (where the student remains in sight and sound of others in the classroom) or exclusionary (where the student leaves the learning environment and goes to another location but is not isolated and prevented from leaving). Timeouts are not a form of seclusion.

Prohibitions

The Leeds Public School District prohibits district employees, contractors, volunteers, and other individuals serving or working in any capacity for the District (hereafter district staff) from use of any form of restraint and/or seclusion on students except when the following conditions are met and then only in compliance with this policy: an emergency situation necessitates the use of physical restraint or seclusion to control violent, disturbed, or depressed behavior which may immediately result, or has resulted, in harm to that person or other persons.

The District further prohibits district staff from the following:

1. Using restraint and seclusion interventions simultaneously except when a necessary, temporary measure (e.g., to evacuate a classroom, restrain a secluded student who is exhibiting self-destructive behavior)
2. Using restraint or seclusion to discipline a student
3. Using restraint or seclusion as a behavioral intervention when: behavior does not pose an immediate risk of harm or has not resulted in harm to the student or others.
4. Using mechanical restraints
5. Using chemical restraints
6. 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 child's face)
7. Using a restraint or seclusion technique that will knowingly cause harm to a child. 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 with the control of a student, is attempting to stop a physical altercation between the student and another individual, or is acting in the self-defense and inadvertently causes harm to the student in the process. Administration shall investigate anytime a student was harmed during restraint or seclusion to determine the appropriateness of the intervention technique under the circumstances.
8. Using physical restraint or seclusion for longer than when dangerous behavior has subsided.

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

When the District identifies as 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 child
3. Whether a proposed intervention would violate restraint or seclusion interventions prohibited by policy. Such interventions shall not be used.
4. The child's needs
5. Terms of the child's BIP, IEP, and/or 504 Plan.
6. Whether staff have 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. Whether 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 the school has a seclusion area free from any objects that the child could use to harm him/herself. If the District does not have such a room or area, alternative interventions must be used.
10. Whether 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 judgement, practice, or standards.
11. A review of physical restraint or seclusion interventions used to respond to the child in the past. Any interventions that were ineffective should be modified using the above criteria.
12. Whether parents have authorized the proposed physical restraint or seclusion intervention. Such authorization is required and should be documented in a BIP, IEP, or 504 Plan.

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

When a student engages in unforeseen dangerous behavior, 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 child and his/her 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.

Student engagement in unforeseen dangerous behavior shall be reviewed to determine the need for a BIP, IEP, or 504 Plan.

Staff Training

The District shall provide training to appropriate staff in physical restraint 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 prohibition contained in this policy. 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 placed in seclusion or is restrained, the intervening staff member shall contact the building principal or Superintendent as soon as practical. The building principal or Superintendent shall determine if the seclusion or restraint 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 his/her 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 and submit it to administration or designee as soon as practical. An administrator shall attempt to contact the student's parent as soon as practical to inform him/her of the restraint or seclusion intervention used. If parents cannot be reached, the administrator should document a description of his/her 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, used multiple times within the same classroom, or used multiple times by the same individual, the District shall review the student's BIP/504 Plan/IEP 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.

End of Leeds Public School District Policy FCC Adopted 09/2018