

Seclusion and Restraint Plan

Porter County Education Services

Revised June 30, 2015

Background:

Indiana Code 20-20-40 requires school corporations to establish a written plan regarding the use of seclusion and/or restraint in the school setting. The following represents the written plan for Porter County Education Services (PCES) regarding seclusion and restraint.

A. Overview

Every effort should be made to prevent the need to restrain or place students in seclusion. However, the School recognizes that at times it may become necessary for employees to use reasonable restraints and/or seclusion when there is an imminent risk of injury to the student or others. Restraint or seclusion should not be used as a means of punishment or convenience. All behavioral interventions used must ensure the right of all students to be treated with dignity and respect.

A supportive school environment can greatly reduce, and in many cases eliminate, the need for restraint or seclusion. The School will use prevention, positive behavior intervention and support, and conflict de-escalation strategies to eliminate or minimize the need for use of chemical restraint, mechanical restraint, physical restraint and/or seclusion. School staff should promote and teach students appropriate behavior and should model appropriate behavior with their own conduct.

This Restraint and Seclusion Plan, based on Indiana Code 20-20-40, could be applied to all students, not only students with disabilities. Any behavioral intervention used, including any physical restraint or seclusion, must be consistent with any applicable behavioral intervention plan (BIP) of the student, or individualized education program (IEP) of the student, as well as with this Restraint and Seclusion Plan.

Nothing in this Plan prevents a school employee from stopping a physical altercation, acting to prevent physical harm to a student or another individual, or acting to address an emergency until the emergency is over, whether or not the school employee has received formal training on the use of restraint or seclusion.

B. Restraint

- a) What is and is not “restraint”

"**Chemical restraint**" means 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 or dosage or both for the student's medical or psychiatric condition.

"**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) a mechanical device, (2) a material, or (3) equipment that is used as prescribed by a licensed physician or other qualified health-care professional. The term also *does not include* a bus harness or other safety equipment that is used to safely restrain a student during transport.

"**Physical restraint**" means 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; (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; or (4) the use of a bus harness or other safety equipment that is used to safely restrain a student during transport.

b) Use of Restraint

- Chemical Restraints are not allowed.
- Mechanical Restraints are not allowed.
 - Mechanical devices, materials, or equipment prescribed by a licensed physician or other qualified health-care professional are not "mechanical restraints" under this Plan, and *may be used by staff trained in their safe use*.
 - Transportation safety restraints are also not "mechanical restraints" subject to this Plan.
- Physical restraint shall only be used when a student's behavior presents an imminent risk of injury to the student, other students, school employees or visitors to the school.
- Physical Restraint shall only be used as a last resort only after other less restrictive interventions have been implemented without success.
- Except in emergency situations when trained staff are not available, restraint should *only* be employed by staff members who have been trained in the safe use of restraint.
- Restraint shall never be used in a manner that restricts the child's breathing or intentionally harms the child.

- Restraint shall only be used for a short time period, for as long as is necessary for the student to regain behavioral stability and for the imminent risk of injury to have passed.

C. Seclusion

a) What is and is not “seclusion”

“**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 the student’s individualized education program, in which an adult is continuously present in the room with the student.

A “**time-out**” means a behavior reduction procedure in which access to reinforcement is withdrawn for a certain period of time and occurs when the ability of a student to receive normal reinforcement in the school environment is restricted. When a student is *not alone* or is *not physically prevented from leaving* is not “seclusion” under this Plan.

b) Use of Seclusion

- Seclusion shall only be used when a student is displaying behavior that presents imminent risk of injury to the student or other students, school employees or visitors to the school, and the threat could be diminished if the student was in a safe environment away from other students and staff.
- Seclusion shall only be employed as a last resort after other less restrictive interventions have been implemented without success.
- Seclusion should only be used for a short time period, for as long as is necessary for the student to regain behavioral stability and for the imminent risk of injury to have passed.
- Seclusion should *only* be employed by staff members who have received training in the safe use of seclusion.
- A staff member must carefully and continually visually monitor every instance of seclusion to ensure the safety of the student and others.

c) Seclusion Environments

All seclusion environments shall:

- Be large enough to reasonably accommodate the student and at least one adult;
- Have adequate lighting and ventilation;
- Permit continuous visual monitoring of the student;
- Meet current fire and safety codes;
- Not be locked, except that a latching device that a staff member must continuously activate to prevent a door from opening is allowed.

D. Examination and Parental Notification

- Immediately after the student has restored emotional and behavioral control following the use of restraint 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.
- The building principal or designee shall attempt to verbally report every instance of restraint or seclusion to the parent/guardian of the student on the same school day of the incident.
 - The principal or designee shall also offer the parents/guardians the opportunity to request a meeting regarding the incident.

E. Debriefing, Documenting, and Reporting

- As soon as practical after an incident of restraint or seclusion, the principal or designee shall:
 - Meet with at least one school staff member who participated in the restraint or seclusion to discuss whether proper restraint or seclusion procedures were followed, including the use of proper procedures to prevent the need for restraint or seclusion.
 - Direct a staff person (including him/herself) to debrief the incident with the student in a manner appropriate to the student's age and developmental ability, to discuss the behaviors that lead to the use of restraint or seclusion.
- The principal or designee will ensure that an incident report is completed for each instance of the use of seclusion or restraint. The incident report should include the following:
 - The student's name
 - Date and time of the incident
 - The duration or the beginning and ending times of the restraint or seclusion
 - A description of any relevant events leading up to the incident
 - A description of the incident 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
 - A description of relevant interventions used immediately prior to the restraint or seclusion.
 - A summary of the student's behavior during seclusion or restraint, including a description of the restraint technique or techniques used and any other interaction between the student and staff
 - A description of any injuries to students, staff, or others or property damage
 - A list of the school personnel who participated in the implementation, monitoring, and supervision of seclusion or restraint
 - If applicable, a statement that the intervention used was consistent with the student's most current behavioral intervention plan or IEP
 - The date and time on which the parent/guardian was notified.

- A copy of the incident report will be placed in the student’s cumulative file, given to the building principal, sent to a designated central office administrator, and to the student’s parents.
- Upon providing a copy of the incident report to the parent/guardian, offer the parent or parents or guardian or guardians the opportunity to request a meeting regarding the incident of restraint or seclusion.
- The Building Principal will review reports to monitor multiple uses in the same classroom or by the same staff members to determine if strategies or procedures should be revised.

F. Requirements for Training

- PCES has established training guidelines for all staff members who may predictably be required to utilize isolated time out or physical restraint methods with a student.
- All certified staff members will be provided with annual training via the staff meeting regarding PCES policies and procedures for isolated time out and physical restraint. This includes in-service regarding the usage of the PCES Isolated Time-out Reporting Form and Physical Restraint Reporting Form, as well as the contents of this document. Any certified staff member who may be required to utilize isolated time out or physical restraint methods with a student will maintain a current CPI or comparable training certification.
- Any non-certified staff member who may be required to utilize isolated time out or physical restraint under the supervision of the certified staff member will be provided training from their supervising teacher or certified trainers regarding PCES policies and procedures for isolated time out and physical restraint. This includes in-service regarding the usage of the PCES Isolated Time-out Reporting Form and Physical Restraint Reporting Form, as well as all contents of this document. Any non-certified staff member who may be required to utilize isolated time out or physical restraint methods with a student will maintain a current CPI or comparable training certification.
- Nothing in this policy should be construed to limit the rights and abilities of teachers and school staff to keep order and administer necessary discipline in their classrooms and on school grounds, especially those powers and immunities in Indiana Code 20-33-8.

G. Annual Review and Reporting

- The Superintendent/Executive Director will designate an administrator as the coordinator of data, planning and oversight of the use of restraint or seclusion procedures in the School District.
- At least annually, the designated administrator will review the data on the use of restraint and seclusion in the School District in order to improve the use of prevention, positive behavior intervention and support, and conflict de-escalation techniques to minimize the use of restraint or seclusion.
- The School Corporation shall report the number of instances in which either seclusion or restraint is used in its annual performance report required by I.C. § 20-20-8-3.

- This Restraint and Seclusion Plan shall be included on the PCES website, www.pces.k12.in.us