

PROCEDURES ON PHYSICAL RESTRAINT AND SECLUSION

1. Informing Parents and Guardians Generally

- A. All student handbooks in Elba Public Schools will contain this statement: As a part of the emergency procedures in place in our schools, any student who poses an imminent risk of injury to him/herself or others may be physically restrained and/or placed in seclusion by school staff in accordance with School Board policies. These could occur along with other emergency actions such as calling the police. Significant violations of the law including assaults on students and staff will be reported to the police. As soon as possible after any such incident the parents or guardian will be informed when any of these actions have occurred.

2. Definitions

- A. Chemical Restraint; Use of medications to control behavior.
- B. Crisis Intervention Training; Training provided to selected staff members which addresses how to deal with aggressive, violent or out of control behavioral crises. It includes specific techniques for physical restraint and seclusion, the curriculum meets any state standards for such training and it results in certification of the individuals who complete the training.
- C. De-Escalation; Causing a situation to become more controlled, calm and less dangerous, thus lessening the risk for injury to someone.
- D. Functional Behavioral Assessment; Ongoing process of gathering information that can be used to hypothesize about the function of student behavior. The analysis provides the information necessary to develop a behavior intervention plan.
- E. Imminent; Likely to happen right away; within a matter of minutes.
- F. Mechanical restraint; Use of any device or object (e.g., tape, ropes, straps, weights, weighted blankets) to limit an individual's body movement to prevent or manage out- of-control behavior.
 1. Medically prescribed devices whose purpose is to compensate for orthopedic weaknesses, to protect from falling or to permit the student to participate in activities at school are not considered to be mechanical restraints when recommended by an occupational or physical therapist, physician or nurse for purposes of this policy.
 2. Vehicle restraints, or other restraints used by sworn law enforcement officers are not considered to be mechanical restraints for purposes of this policy.
- G. Physical restraint; Any method of one or more persons restricting another person's freedom of movement, physical activity, or normal access to his/her body. Physical restraint, for purposes of this policy, does not include:
 1. Taking away a weapon (such as a knife or gun)
 2. Breaking up a fight
 3. Physical prompts provided in the course of instruction
- H. Prevention and Conflict De-escalation Training; Training which is provided broadly to school

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staff on how to prevent, defuse and de-escalate potential behavioral crisis situations, which meets any state standards for such training.

- I. Prone physical restraint; The person is being held face down lying on their stomach on a horizontal surface such as the floor.
- J. Seclusion; Student is placed in a location where they are alone, and where they are physically prevented from leaving that environment.
- K. Supine physical restraint; A person is being held face up on their back on a horizontal surface such as the floor.
- L. Time out; Continuum of behavioral interventions to reduce inappropriate behavior by removing a student's access to positive reinforcement in the normal school setting.
- M. Substantial risk; Situation where there is serious, imminent threat of bodily harm and where there is the immediate ability to enact such harm.
- N. Staff Trained in Crisis Intervention; Individuals who successfully complete and maintain certification in a training program that results in acquisition of skills to prevent physical restraints, evaluate risk of harm in an individual situation, use approved physical restraint techniques and monitor the effect of the restraint.
- O. Parent or guardian; The student's parent, legal guardian, surrogate parent or student over the age of 18.

3. Conditions for Appropriate Use of Physical Restraint

- A. Physical restraint is appropriate only when a student is displaying physical behavior that presents substantial imminent risk of injury to the student or others.
 - 1. The student is demonstrating the intent and the ability to cause injury within a matter of minutes.
- B. Physical restraint should only be employed as a last resort after other methods of de-escalating a dangerous situation have been attempted without success.
- C. Physical restraint should only be employed by staff members who have received specific district approved crisis intervention training in the use of physical restraint procedures.
 - 1. Other school personnel may employ physical restraint procedures only in rare and clearly unavoidable emergency circumstances when fully trained school not immediately available. Untrained staff should request assistance from trained staff as soon as possible.
 - 2. A physical restraint of a student should be conducted in a manner consistent with the techniques prescribed in the district approved crisis intervention training program.
- D. A physical restraint of a student should be conducted in a manner consistent with the techniques prescribed in the District approved crisis intervention training program. The degree of physical 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.

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- E. Mechanical or chemical restraints are not authorized in school.
- F. Prone or Supine forms of physical restraint are not authorized and should be avoided.
- G. For students with disabilities, the use of physical restraint should not be included in a student's IEP, or Behavior Intervention Plan.

4. When Physical Restraint Procedures Should Not Be Employed

- A. Physical restraint is not appropriate without imminent risk of injury to someone.
- B. A verbal threat or verbally aggressive behavior does not itself indicate a substantial risk of injury, and should 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. When known medical or physical condition of the student would make the restraint procedures dangerous for that student (e.g. students with heart or circulatory conditions, asthma, etc.) they should not be employed.
- E. Restraint should never be used as a punishment, or to force compliance with staff commands.

5. Conditions for Appropriate Use of Seclusion

- A. Seclusion is appropriate only 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 should only be employed as a last resort after other methods of de-escalating a dangerous situation have been attempted.
- C. Seclusion should only be used as long as necessary and should be discontinued when the student is no longer a threat to others.
- D. Seclusion should only be employed by staff members who have received specific district approved crisis intervention training in the use of seclusion procedures.
- E. Seclusion must be used only when the student can safely be transported to the seclusion environment by trained staff members using appropriate techniques based on crisis intervention training.
- F. For students with disabilities, the use of seclusion should not be included in a student's IEP, or Behavior Intervention plan.
- G. Time out procedures that do not constitute seclusion are permitted in school.
- H. AU seclusion environments should be inspected annually by fire or safety inspectors and for adherence to regulations affecting school accreditation. Seclusion environments should:
 - 1. Be of reasonable size permitting students to lie or sit down.

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

6. When Seclusion Procedures Should Not Be Employed

- A. When the substantial risk of injury no longer exists.
- B. When known medical or physical condition of the student would make the seclusion procedures dangerous for that student (e.g. students expressing suicidal thoughts, students with heart or circulatory conditions, asthma, or other conditions).
- C. Seclusion should 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 should be permitted to use the restroom upon request, and be escorted to and from the restroom.
 2. Students should be provided water on request.
- D. Seclusion should never be used as a punishment, or to force compliance with staff commands.

7. Training

- A. The District will provide all staff members with basic training about conflict de-escalation procedures, the dangers of restraint and seclusion, and procedures for contacting fully trained and certified staff when behavioral crises occur.
 1. This training will be recurrent and will be provided to new staff during orientation.
- B. The District will determine a specific curriculum and method of providing training related to physical restraint or seclusion that will meet any applicable state standards
- C. A core group of appropriate personnel will be trained and "certified" in each building in crisis intervention techniques which will include the use of physical restraint and seclusion procedures.
 1. Recurrent training to maintain "certification" will be provided on a regular basis at least annually to meet the requirements for the curriculum or program used.

8. Reporting, Documentation and Debriefing Requirements

- A. Immediately after the student has restored emotional and behavioral control following the use of physical 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 restraint or seclusion.
- B. The staff member involved with the physical restraint will have the opportunity to meet with his/her supervisor after the incident.

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- C. 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 restraint or seclusion 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.

- D. The individuals involved with the incident shall complete a written report as soon as possible after the incident. All use of physical restraint or seclusion procedures must be documented on an "incident report".
 - 1. All staff involved will contribute to the completion of an "Incident Report" (sample form attached) within one school day of the incident.
 - 2. The building administrator or designee will send a copy of the written report to the parent or guardian within two school days following the use of restraint or seclusion, and will place a copy of the report in the student's confidential file.
 - 3. A copy of the incident report should also be sent to a designated district administrator

- E. Further, it is expected that each staff member involved in an incident will engage in a debriefing or processing session(s) in order to determine what could have been done to prevent the future need for use of physical restraint or seclusion for this student specifically and for other students in similar situations.
 - 1. Components to be included in this session are outlined in the Staff Processing of Restraint or Seclusion Form.
 - 2. The supervisor will provide support to the staff member and determine when the staff member shall return to his or her duties.
 - 3. The student, with assistance from staff, will process the event at the earliest appropriate time.
 - 4. The staff member's supervisor or designee shall complete and file the form.

9. Annual Review, Planning Process and Oversight

- A. A district administrator (or designee) will be designated as the coordinator of data, planning and oversight of the use of physical restraint or seclusion procedures in the district

- B. The District shall establish a Committee or use a standing Safety 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 district/facility 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;

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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 district training curriculum.
- E. A designated member of this committee will be responsible to submit necessary data on physical restraints and seclusion as requested by the Nebraska Department of Education or other agencies.

10 Incident Report Information

- A. A minimum of the following will be included in the incident report created after each instance of physical restraint or the use of seclusion:
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 physical restraint or seclusion; or the beginning and ending times of the physical 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 physical restraint or seclusion;
 7. A description of the incident and/or student behavior that resulted in implementation of physical restraint or seclusion including a description of the danger of injury which resulted in the restraint or seclusion.
 8. A log of the student's behavior during physical restraint or seclusion, 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 physical restraint or seclusion and whether they had training related to restraint or seclusion;
 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.