

# **COMMISSION ON SECLUSION AND RESTRAINT IN SCHOOLS**

## **MOST PRECIOUS BLOOD SECLUSION AND RESTRAINT PLAN**

[www.mostpreciousblood.org](http://www.mostpreciousblood.org)

<http://www.doe.in.gov/srcommission>

## **INDIANA'S COMMISSION ON SECLUSION AND RESTRAINT IN SCHOOL'S POLICY STATEMENT**

Indiana Code 20-20-40 et. al. provides for the creation of the Commission on Restraint and Seclusion in Schools, a commission to provide guidance to schools regarding the limited use of either seclusion or restraint of students. The Commission believes that schools should provide a safe and healthy environment in which Indiana's children can learn, develop, and participate in instructional programs that promote high levels of academic achievement. The purpose of your plan should be to insure that all students and staff are safe in school, and that students who may have behavior crises are free from inappropriate use of seclusion or restraint.

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 restraint or seclusion 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 risk of injury 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.

## Seclusion and Restraint plan elements

1. Any behavioral intervention must be consistent with a child's rights to be treated with dignity and respect, and to be free from abuse. Schools must promote and teach appropriate student behavior.
2. Any behavior intervention used must be consistent with the student's most current individualized education program and with the student's behavioral intervention plan, if applicable;
3. Prevention, positive behavior intervention and support, and conflict de-escalation shall be used regularly to eliminate or minimize the need for use of seclusion, chemical restraint, mechanical restraint or physical restraint. Except in situations where the student's behavior creates an imminent risk of injury to the student or others, schools shall employ the use of prevention, positive behavior intervention and support, and conflict de-escalation before the use of any seclusion or restraint;
4. Physical restraint or seclusion shall not be used except as a last resort safety and only after other, less restrictive procedures have been implemented without success and there is an imminent risk of injury to the student or others
5. Use of seclusion or restraint may only be used for a short period of time and shall be discontinued as soon as the imminent risk of injury to self or others has passed;
6. Every instance in which seclusion or restraint is used on a student shall be documented in order to memorialize the events that led up the use of either seclusion or restraint. School seclusion and restraint plans must include a documentation and recording requirement that: (1) explains how every incident will be documented and debriefed; (2) explains how responsibilities will be assigned to designated employees for evaluation and oversight; and (3) designates which school employee will be the keeper of such documentation.
7. Every instance in which seclusion or restraint is used on a student shall be reported to the student's parent or guardian. Schools shall attempt to report every instance in which seclusion or restraint is used to the student's parent or guardian no later than the end of the school day or as soon as practical. Schools must also provide a parent or guardian a copy of an incident report detailing the use of either seclusion or restraint.
8. School employees shall be trained regularly on the appropriate use of effective alternatives to physical restraint and seclusion, including the use of positive behavioral intervention and support and conflict de-escalation. At a minimum, the training must include the safe use of physical restraint and seclusion in incidents involving imminent risk of injury to the student, school employees, or others.

## Most Precious Blood

A copy of this plan shall be available to students and their families. At a minimum, this plan shall be copied and available on the school's website [www.mostpreciousblood.org](http://www.mostpreciousblood.org)

### I. USE OF RESTRAINT

- A. Every effort shall be made to avoid the need for the use of restraint of a student..
- B. Physical restraint shall not be used except when used as a last resort and only when:
  - 1. the student's behavior poses imminent risk of injury to self or others; and,
  - 2. other less restrictive interventions are ineffective.
- C. A student shall never be physically restrained by a school employee who has not received appropriate training by the school in the use of restraint procedures except 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.
- D. Physical restraint of a student may only be used for a short period of time and shall be discontinued as soon as the imminent risk of injury to self or others has dissipated, usually a matter of minutes.
- E. While transporting a student on a moving vehicle, a bus harness or other safety equipment may be required and is permissible for safety purposes. The need and use of any bus harness or safety equipment used to restrain a student during transportation must be documented. Mechanical or chemical restraints are otherwise not authorized.
- F. The use of any drug, medication, or other chemical to control behavior or restrict freedom of movement (except as authorized by a licensed physician or other qualified health care professional) is prohibited.
- G. A School employee may never give a student any drug or medication that is not a standard treatment or dosage, or both, for the student's medical or psychiatric condition unless otherwise prescribed by a physician
- H. Every instance in which restraint is used shall be carefully, continuously, and visually monitored to ensure the safety of the student, other students and school employees.

- I. Immediately after the imminent risk of injury to self or others has dissipated, the student should no longer be physically restrained and a school employee, not involved with the restraint, shall examine the student to ascertain if any injury has been sustained during the restraint of the student.

## II. WHEN RESTRAINT PROCEDURES SHALL NOT BE EMPLOYED

- A. Physical restraint shall not be used unless the student's behavior poses imminent risk of injury to self or others and other less restrictive interventions are ineffective.
- B. A verbal threat or verbally aggressive behavior does not itself indicate a imminent risk of injury, and shall not result in restraint.
- C. Unless a student's destruction or damage to property creates an imminent risk of injury to the student or others, the destruction or damage of property does not itself indicate an imminent risk of injury and shall not be the justification for restraint of a student.
- D. When known medical or physical condition of the student would make restraint dangerous for that, physical restraint shall not be used.
- E. Restraint shall never be used as a punishment, or to force compliance with staff commands.
- D. Seclusion or restraint shall never be used in a manner that restricts a child's breathing or harms the child.

## III. USE OF SECLUSION

- A. Every effort shall be made to avoid the need for the use of seclusion of a student.
- B. Seclusion shall not be used except when used as a last resort and only when:
  1. the student's behavior poses imminent risk of injury to self or others; and,
  2. other less restrictive interventions are ineffective.
- C. A student shall never be secluded by a school employee who has not received appropriate training by the school in the use of restraint procedures except 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.
- D. Seclusion of a student may only be used for a short period of time and shall be discontinued as soon as the imminent risk of injury to self or others has dissipated, usually a matter of minutes.
- E. Every instance in which seclusion is used shall be carefully, continuously, and

visually monitored to ensure the safety of the student, other students and school employees.

- F. Immediately after the imminent risk of injury to self or others has dissipated, the student should no longer be secluded and a school employee, not involved with the restraint, shall examine the student to ascertain if any injury has been sustained during the physical restraint of the student.
- G. Time out does not constitute seclusion.

#### **IV. When Seclusion Procedures Shall NOT Be Used**

- A. Seclusion shall not be used unless the student's behavior poses imminent risk of injury to self or others and other less restrictive interventions are ineffective.
- B. A verbal threat or verbally aggressive behavior does not itself indicate an imminent risk of injury, and shall not result in seclusion of a student.
- C. Unless a student's destruction or damage to property creates an imminent risk of injury to the student or others, the destruction or damage of property does not itself indicate an imminent risk of injury and shall not be the justification for seclusion of a student.
- D. When known medical or physical condition of the student would make seclusion dangerous for that student, the student may not be secluded.
- E. Seclusion shall never be used as a punishment, or to force compliance with staff commands.
- F. Seclusion shall never be used unless a school employee can continuously monitor the student for visual or auditory signs of physiological distress and can communicate with the student.

#### **V. TIME-OUT**

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.

#### **VI. DEBRIEFING**

- A. As soon as practical and after every instance in which seclusion or restraint is used on a student, the school administrator or designee shall do the following:
  1. meet with at least one school employee who participated in the implementation, monitoring, and supervision of the seclusion or restraint to discuss whether

proper seclusion or restraint procedures were followed, including the use of proper procedures to prevent the need for restraint or seclusion;

2. direct a staff person, who was not part of the seclusion or restraint of the student, to debrief the incident with the student in a manner appropriate to the student's age and developmental ability and to discuss the behavior(s), if any, that precipitated the use of restraint or seclusion; and,
  3. provide a copy of an incident report to the parent(s) or guardian(s) and offer the opportunity to request a meeting regarding the incident of restraint or seclusion.
- B. When applicable, the procedures described in 511 IAC 7-44-5 should be followed

## **VII. INCIDENT DOCUMENTATION AND REPORTING**

A. Every instance in which seclusion or restraint is used on a student shall be documented in order to memorialize the events that led up the use of either seclusion or restraint.

B. Documentation must be made on the form prescribed by the school and shall include the following:

1. The student's name;
2. The date and time of the incident;
3. The duration of any seclusion or restraint or the beginning and ending times of the restraint or seclusion, or both;
4. A description of any relevant events leading up to the incident;
5. 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;
6. A description of relevant interventions used immediately prior to the implementation of seclusion or restraint;
7. 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;
8. A description of any injuries to students, staff, or others or property damage;
9. A list of school employees who participated in the implementation, monitoring and supervision of the seclusion or restraint; and,
10. If applicable, a statement that intervention used was consistent with the student's most current behavioral intervention plan or IEP.

C. The building administrator or designee shall attempt to verbally report every instance in which seclusion or restraint is used on a student to the student's parent or guardian no later than the end of the school day or as soon as practical.

D. The building administrator or designee shall also send written notification, as soon as practical, to the student's parent or guardian after every instance in which seclusion or restraint is used on a student.

## VIII. TRAINING

- A. Most Precious Blood will provide all school employees with training on:
  - 1. Appropriate use of effective alternatives to physical seclusion and restraint,
  - 2. Conflict de-escalation procedures,
  - 3. Positive supports and behavioral interventions techniques,
  - 4. The dangers of seclusion and restraint,
  - 5. Procedures for contacting fully trained and certified staff when behavioral crises occur
  - 6. The safe use of seclusion and restraint.
  - 7. Steps to avoid the use of seclusion or restraint.
  - 8. Debriefing practices and procedures. In addition, school employees must be trained
- B. This training will be recurrent and will be provided to new school employees.
- C. 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. Any member of the core group, trained in crisis intervention techniques, including the safe use of seclusion or restraint procedures, may provide training to other school employees under this plan.
- D. Recurrent training will be provided to school employees.

## **Annual Review, Planning Process and Oversight**

- A. Most Precious Blood administrator (or designee) will be designated as the coordinator of data, planning and oversight of the use of seclusion or restraint procedures.
- B. The Most Precious Blood Safety Committee shall 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 Most Precious Blood 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 Most Precious training curriculum.

## APPENDIX & DEFINITIONS

**Behavioral intervention plan:** A plan that is agreed upon by the case conference committee (as defined in IC 20-35-7-2) and incorporated into a student's IEP (as defined in IC 20-18-2-9) and that 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.

**Deescalation:** Causing a situation to become more controlled, calm and less dangerous, thus lessening the risk for injury to someone.

**School Employee:** Any paid school staff, volunteer, contract employee, consultant or any other agent of the school or corporation.

**Functional Behavioral Assessment:** Has the same meaning set forth in 511 IAC 7-32-41.

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

**Mechanical restraint:** The use of a mechanical device, a material or equipment that is 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 a mechanical device, a material or any equipment that is used as authorized 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 restrain a student during transport when the harness or safety equipment is necessary for safety purposes.

**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. The term does not include the use of a bus harness or other safety equipment that is used to restrain a student during transport when the harness or safety equipment is necessary for safety purposes.

**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 Deescalation Training:** Training which is provided broadly to school staff on how to prevent, defuse and de-escalate potential behavioral crisis situations without physical contact between a school employee and a student.

**Seclusion:** 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 during which an adult is continuously present in the room with the student.

**Time out:** 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.

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

**Volunteer:** A person who is eighteen (18) years of age or older, has regular and direct contact with students, and donates time, energy, or talent to various phases of school programs under the direction and permission of school district personnel for which the person does not receive monetary compensation.

**A list of resources and videos regarding the limited use of seclusion and restraint in school can be found at the Commission's website at <http://www.doe.in.gov/srcommission>**