

**METROPOLITAN SCHOOL DISTRICT of NEW DURHAM TOWNSHIP**  
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## **MSD of New Durham Township Seclusion and Restraint Plan**

### **I. Use of Restraint**

- A. Restraint shall only be used when a student is displaying physical behavior that presents substantial imminent risk of injury to the student or others.
- B. Restraint shall only be employed as a last resort after other methods of de-escalating a dangerous situation have been attempted without success.
- C. Restraint shall only be employed by staff members who have received crisis intervention training by the school in the use of restraint procedures with the following exceptions:
  - 1. Other school personnel may employ restraint procedures only 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.
  - 2. Restraint of a student shall be conducted in a manner consistent with the techniques prescribed in crisis intervention training program.
- D. Restraint shall last only as long as is necessary for the student to regain behavioral stability, and the risk of injury has ended, usually a matter of minutes.
- E. The degree of 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.
- F. Mechanical or chemical restraints are not authorized in school.
- G. Prone or Supine forms of restraint are not authorized and shall be avoided.
- H. Seclusion or restraint shall never be used in a manner that restricts a child's breathing or harms the child.
- I. Every instance in which seclusion or restraint is used shall be carefully, continuously and visually monitored to ensure the appropriateness of its use and safety of the child, other children, teachers, and other personnel.

### **II. When Restraint Procedures Shall Not Be Employed**

- A. Restraint shall not be used unless there is imminent risk of injury to someone by the student.
- B. A verbal threat or verbally aggressive behavior does not itself indicate an imminent risk of injury, and shall 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 shall not be employed.
- E. Restraint shall never be used as a punishment, or to force compliance with staff commands.

### **III. Use of Seclusion**

- A. Seclusion shall only be used 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 shall only be employed as a last resort after other methods of de-escalating a dangerous situation have been attempted.
- C. Seclusion shall only be used as long as necessary and shall be discontinued when the student is no longer an imminent threat to others.
- D. Seclusion shall only be employed by staff members who have received specific MSD or NDT 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. Time out procedures that do not constitute seclusion are permitted in school.
- G. All seclusion environments shall be inspected and shall:
  - 1. Be of reasonable size to accommodate the student and at least one adult.
  - 2. Be of reasonable size to permit students to lie or sit down.
  - 3. Have adequate ventilation including heat and air conditioning as appropriate.
  - 4. Have adequate lighting.
  - 5. Be free of any potential or predictable safety hazards such as electrical outlets, equipment, and breakable glass.
  - 6. Permit direct continuous visual and auditory monitoring of the student.
  - 7. Permit automatic release of any locking device if fire or other emergency in the school exists.
  - 8. If locked, shall be automatically released after five minutes or with any building wide alarm (such as fire, tornado or code red alarm).
  - 9. Shall meet current fire and safety codes.

### **IV. When Seclusion Procedures Shall Not Be Employed**

- A. When the substantial imminent 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 shall 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 shall be permitted to use the restroom upon request, and be escorted to and from the restroom.
2. Students shall be provided water on request.

D. Seclusion shall never be used as a punishment, or to force compliance with staff commands.

## 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. Informing Parents and Guardians Generally

All student handbooks shall include a statement similar to this:

As a part of the emergency procedures in place in our schools, no student will be restrained and/or placed in seclusion by school staff unless the student's behavior poses an imminent risk of injury to him/herself or others. However, significant violations of the law including assaults on students and staff will be reported to the police. As soon as possible after any such use of restraint and/or seclusion, the parents or guardian will be informed when any of these actions have occurred and will be provided with a detailed account of the incident including the circumstances that led to the use of restraint and/or seclusion.

## VII. Training

- A. The MSD of NDT will provide all staff members with basic training about conflict de-escalation procedures, the dangers of seclusion and restraint, and procedures for contacting fully trained and certified staff when behavioral crises occur.
- B. This training will be recurrent and will be provided to new staff.
- C. The MSD of NDT will determine a specific curriculum and method of providing training related to seclusion or restraint.
- D. 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.
- E. Recurrent training will be provided on a regular basis at least annually.

## VIII. Reporting, Documentation and Debriefing Requirements

- A. Immediately after the student has restored emotional and behavioral control following the use of 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 seclusion or restraint.
- B. 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 seclusion or restraint 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.

### C. Incident Report

1. Staff involved in the use of seclusion or restraint will contribute in an "Incident Report" as soon as practical after the use of seclusion or restraint.
2. The building administrator or designee will send a copy of the written report to the parent or guardian documenting the use of seclusion or restraint, and will place a copy of the report in the student's confidential file.
3. A copy of the incident report shall also be sent to a designated MSD of NDT administrator.

### D. A minimum of the following will be included in the incident report created after each instance of 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 seclusion or restraint; or the beginning and ending times of the 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 seclusion or restraint;
7. A description of the incident and/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;
8. A log of the student's behavior during seclusion or restraint, 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 seclusion or restraint and whether they had training related to seclusion or restraint;
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.

### E. Further, it is expected that each staff member involved in an incident will engage in a de-briefing or processing session(s) in order to determine what could have been done to prevent the future need for use of seclusion or restraint 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 Seclusion or Restraint 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.

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

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

B. The MSD of NDT shall establish a Committee or use a standing 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 MSD of NDT 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 MSD of NDT training curriculum.

## Appendix & Definitions

**Behavioral intervention plan:** means a plan that is agreed upon by the case conference committee (CCC) and incorporated into a student's individualized education program (IEP) and that, a minimum, describes the following:

1. The pattern of behavior that impeded 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.

**Crisis Intervention Training:** training provided to selected staff members which addresses how to deal with aggressive, violent or out of control behaviors. It includes specific techniques for seclusion and restraint and could result in certification of the individuals who complete the training.

**De-Escalation:** causing a situation to become more controlled, calm and less dangerous, thus lessening the risk for injury to someone.

**Employee:** means all paid school staff, volunteers, contract employees, consultants or any other agents of the school or corporation.

**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 an intervention plan.

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

**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) mechanical devices, (2) a material or (3) equipment used as prescribed by a doctor.

**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.