

Tipton Community School Corporation

Seclusion and Restraint Plan

July 2014

In Response to Indiana Code 20-20-40:

Introduction:

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 serious physical harm 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 positive behavior intervention and support and conflict de-escalation strategies to eliminate or minimize the need for use of restraint 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 applies to all students, not only students with disabilities. Any behavioral intervention, including any physical restraint or seclusion, must be consistent with any applicable behavioral intervention plan (BIP), or individualized education program (IEP), 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.

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1. USE OF RESTRAINT

- A. Restraint shall only be used when a student is displaying behavior that presents imminent danger of serious physical harm to the student or others.
- B. Restraint shall only be employed as a last resort when other less restrictive interventions are ineffective.
- 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 unavoidable emergency circumstances when fully trained school personnel are not immediately available. Untrained staff shall request assistance from trained staff as soon as possible. In this circumstance, restraint of the student shall be conducted in a manner as consistent with the techniques prescribed in crisis intervention training as possible.
- 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. Seclusion or restraint shall never be used in a manner that restricts a child's breathing or harms the child.
- H. 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.

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2. 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 discipline, to force compliance with staff commands, as a means of coercion or retaliation, or as a convenience.

3. USE OF SECLUSION

- A. Seclusion shall only be used when a student is displaying physical behavior that presents imminent risk of serious physical harm 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 when other less restrictive interventions are ineffective.
- 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 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.

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- 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.

4. 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, as means of coercion or retaliation, or as a convenience.

5. 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.

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6. 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.

The Seclusion and Restraint Plan is available online at: www.tcsc.k12.in.us.

7. TRAINING

- A. Staff members who have regular direct contact with students will be provided with Crises Intervention 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. Crises Intervention training will be recurrent and will be provided to new staff members.
- C. Refresher training will be provided at least every two years.
- D. The training protocol will include:
 - (1) Positive supports and behavioral interventions techniques;
 - (2) Conflict de-escalation techniques;
 - (a) the safe use of seclusion and restraint;
 - (b) steps to avoid the use of seclusion or restraint;
 - (c) debriefing practices and procedures.
- E. The school will maintain documentation that includes the following information:
 - (1) The name and position of each person who has completed training;
 - (2) Who provided the training;
 - (3) When the training was completed; and
 - (4) What protocols and techniques were included in the training.

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8. REPORTING, DOCUMENTATION AND DEBRIEFING REQUIREMENT

- A. Immediately after the student has regained 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 parents and/or guardians as soon as possible on the day of the incident. In the instance in which the parent/guardians cannot be reached after a reasonable amount of time, messages will be left for them.
 - 1. The building administrator or designee will update the parents and/or guardians on the student's current physical and emotional state and,
 - 2. Will discuss strategies to assist the parents and/or guardians in dealing with any residual effects of the incident.
 - 3. Offer the parents and/or guardians the opportunity to request a meeting regarding the incident of restraint or seclusion.

- C. Incident Report
 - 1. Staff involved in the use of seclusion or restraint will contribute to 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 parents and/or guardians 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 administrator and other appropriate personnel for review.

- 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.

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- 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. This may be done as a group.
 - 1. Components to be included in this session are outlined in the Staff Processing of Seclusion or Restraint form.
 - 2. The supervisor or designee 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 appropriate forms.

9. ANNUAL REVIEW, PLANNING PROCESS AND OVERSIGHT

- A. A school corporation administrator (or designee) will be designated as the coordinator of data, planning and oversight of the use of seclusion or restraint procedures.
- B. The designated administrator shall annually review all individual and program-wide data associated with this policy including the following:
 - 1. Incident reports.
 - 2. Procedures used during restraint, including the proper administration of specific, approved restraint techniques.
 - 3. Preventative measures or alternatives tried, techniques or accommodations used to avoid or eliminate the need for 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 designated administrator 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.

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APPENDIX & DEFINITIONS

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

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 mechanical devices, materials or other equipment used for:

- (a) ensuring student safety in vehicles (for example, seat belt, harness or other safety equipment that is used to restrain a student during transport),
- (b) compensation for orthopedic weakness or for the health and safety of a student due to medical concerns (for example, special chairs with trays or supports), when provided in written document such as an IEP or Section 504 Plan with specific recommendations by an Occupational or Physical Therapist,
- (c) therapeutic supports or prompts (for example, weighted blankets, weighted vests, body socks, etc.) to help the student manage sensory needs, when provided in written document such as an IEP or Section 504 Plan with specific recommendations by an Occupational or Physical Therapist,
- (d) or as prescribed by a licensed physician or other qualified health-care professional.

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.

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Prevention and Conflict De-escalation Training: training which is provided broadly to school staff on how to prevent, defuse and de-escalate potential behavior crisis situations.

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 outcome and increase learning for all students.

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 a student's IEP or Section 504 Plan, in which an adult is continuously present in the room with the student to monitor for safety.

Time-out: means 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. If time-out is to be used on a regular basis, it must be documented in a student's IEP or Section 504 Plan. The use of self-directed or requested time-outs may be used, as well.

Substantial risk: situation where there is serious, imminent threat of bodily harm and where there is the immediate ability to enact such harm.

Staff Trained in Crisis Intervention: individuals who successfully complete and maintain certification in a training program that results in acquisition of skills to prevent restraints, evaluate risk of harm in an individual situation, use approved restraint techniques and monitor the effect of the restraint.

Parent or guardian: the student's parent, legal guardian, surrogate parent or student over the age of 18 (unless adjudicated incompetent).