

Seclusion/Restraint Procedures

Under

Louisiana Revised Statutes 17:416.21

as amended and revised to include Louisiana

ACT No. 522 (2016)

and

Louisiana Bulletin 1706, February 2016



St. Martin Parish School Board

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Revised
August 8, 2017

{Adapted from Hammonds, Sills, Adkins, and Guice}

INTRODUCTION

This document provides procedures/guidance for the use, reporting, documentation and oversight of seclusion and restraint in the St. Martin Parish School Board in accordance with regulations and guidance by the Board of Elementary and Secondary Education, Louisiana Department of Education (LDE).

These procedures specifically address the statutory requirements of La. R.S. 17:416.21 (Louisiana Act 328 of 2011) as amended and reenacted by ACT No. 522 (2016) and Louisiana Bulletin 1706, as revised February 2016 regarding the use of seclusion and restraint as emergency safety measures to control the actions of students with exceptionalities in Louisiana's public schools. It is understood that this procedural/guidance document is a work in progress and in no way constitutes the totality of interventions and strategies used by the St. Martin Parish School Board and its personnel in addressing the educational needs of students.

For the purposes of this document, St. Martin Parish School Board may encompass policies adopted by St. Martin Parish School Board; administrative procedures implemented by school administrators and school employees (as defined herein) and guided forms developed to assist school employees in carrying out their responsibilities under La. R.S. 17:416.21 as amended and revised to include ACT No. 522 (2016) and Louisiana Bulletin 1706, February 2016.

Restraint or Seclusion used for reasons other than imminent risk of harm and contrary to the procedures contained in this document shall be considered unreasonable and strictly prohibited.

Restraint or Seclusion SHALL NOT be used as a disciplinary consequence for minor infractions or to otherwise isolate the student from needed educational instruction.

Additionally, St. Martin Parish School Board has adopted a proactive approach and will apply Seclusion/Restraint policies and procedures to all students, not only children with exceptionalities. Deaths have occurred throughout the nation to children who were improperly restrained. These policies and procedures shall be executed for all students to prevent injury and death. Therefore, it is critical that the policies and procedures be implemented specifically as described.

TABLE OF CONTENTS

| | |
|--|----|
| Superintendent’s Directives..... | 4 |
| Notification Requirements..... | 4 |
| Training Requirements | 4 |
| Explanation of Methods..... | 5 |
| Dissemination of Procedures | 5 |
| Notification to the Louisiana Department of Education..... | 5 |
| Guidelines..... | 6 |
| Seclusion Guidelines | 6 |
| Physical Restraint Guidelines | 7 |
| Monitoring and Documentation | 8 |
| Mechanical Restraint..... | 9 |
| Appendix | |
| Definitions | 10 |
| Restraint Report Form | 13 |
| Seclusion Report Form..... | 14 |

SUPERINTENDENT'S DIRECTIVES

PURSUANT TO SCHOOL BOARD POLICY

The St. Martin Parish School Board will be asked to approve the following guidelines and procedures relative to the use of seclusion and restraint by its employees:

A. *Notification requirements* for all school officials and parents/legal guardians:

Parents of a student, respective Special Services Supervisor (Pre-K – 12th Grade), Director of Federal Programs and respective Principals must be notified the same day if physical restraint or seclusion is used with a student.

1. Such notice shall include the reason for such seclusion or physical restraint, the procedures used, the length of time of the student's seclusion or physical restraint, and the names and titles of any school employee involved.
2. Date, time, method and principal/designee contacting the parent must also be documented.
3. The documentation must be signed by the person who completed the form and a school administrator. Copies of this documentation must be sent within 24 hours of action to the Parent, Special Services Supervisors, Director of Federal Programs, Child Welfare and Attendance Supervisor and Principal.

B. *Training requirements* relative to the use of restraint:

All school administrators, behavior facilitators, special education teachers and employees assigned to St. Martin Parish School Board alternative site (JCEP) are required to be trained in the district approved safety hold/restraint program. School administrators will determine the composition of their *Nonviolent Crisis Intervention (NCI) Team for their individual school with guidance from a certified NCI trainer.* Program facilitators, consultants, guidance counselors, teachers, related service providers, nurses, paraprofessionals, school bus drivers, bus attendants, cafeteria workers, custodians, and other school system personnel will be trained as deemed necessary by their immediate supervisor, principal and a certified NCI trainer.

The training program implemented by the St. Martin Parish School Board is the Non-Violent Crisis Intervention (NCI) Program by Crisis Prevention Institute (CPI).

Training will include:

1. Preventive and Deceleration Strategies
 - a. Understanding of Crisis Development Model
 - b. Non-verbal and Para-verbal communication
 - c. Verbal Escalation Continuum
 - d. Precipitating factors
 - e. Staff Fear and Anxiety
2. Decision Making Strategies - Encourage critical analysis and reasoning for response decisions
3. Physical Intervention-Disengagement Skills
 - a. Knowledge of principle-based skills in response to physical risk behavior based on

one's risk assessment of the behaviors. (Lower, Medium, High)

4. Physical Intervention-Holding Skills

- a. Knowledge of progressive team responses to physical risk behaviors when a restrictive to physical risk behaviors when restrictive intervention is necessary for safety. (Lower, Medium, High)

5. Post-vention - Re-establish communication with the student

6. Written exam which must be completed with 80% accuracy

Staff members trained to use holds must be refreshed annually. Documentation of trained personnel will be maintained at the district level.

C. *Explanation of methods* of district approved physical safety holds:

1. Interim Control Position is a temporary position that allows a staff member to maintain control of both of the individual's arms, if necessary, for a short time.
2. Children's Control Position which allows a staff member to maintain a balanced stance while managing the child.
3. Team Control Position is more than two staff members used to manage individuals who have become dangerous to themselves or others.
4. Transport Position is a "cross-grain grip" to secure the individual between two staff members during transport while maintaining close body contact.
5. Situational Application:
 - a. Seated Position (Lower, Medium, High) Level Holding
 - b. Standing Position (Lower, Medium, High) Level Holding

D. *Dissemination:*

1. *Seclusion/Restraint Procedures* will be posted on the St. Martin Parish District website (pending approval by the St. Martin Parish School Board) under the "Parent's Tab" for access by all school employees and parents. In addition, the procedures will be posted on each school's web-site.
2. The Superintendent, all Directors, all Supervisors, and all school administrators are provided a hard copy of the *Seclusion/Restraint Procedures*.
3. Several copies of the *Seclusion/Restraint Procedures* will be provided to each school to disseminate to parents upon request.
4. Parents without internet access or who would like a paper copy may request a copy from the school.
5. The Student Code of Conduct, which is distributed to all parents, will include a statement about how and where to access these guidelines and procedures.

E. *Notification to the Louisiana Department of Education:*

A copy of the *Seclusion/Restraint Procedures* is sent to the Louisiana State Department of Education via e-mail at specialeducation@la.gov.

SECLUSION GUIDELINES

Seclusion is a procedure that isolates and confines a student in a separate room or area until he/she is no longer an immediate danger to self or others. Seclusion does not include time-out, “which is a behavior management technique that is part of an approved program, involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming.” The term does not include in-school suspension or student requested breaks.

Seclusion is permitted only under the following conditions:

1. As a LAST resort if and when less restrictive measures such as positive behavioral supports, constructive and non-physical de-escalation, and restructuring of a student’s environment, have failed to stop a student’s actions that pose an imminent risk of harm.
2. By a school employee who uses accepted methods of escorting a student to a seclusion room, placing a student in a seclusion room, and supervising a student while he/she is in the seclusion room/area.
3. If a student is placed in a seclusion room/area at any given time, the school employee supervising the student must be able to see and hear the student at all times.
4. The room is free of any object that poses a danger to the student placed in the room/area.
5. The room has an observation window and is of a size appropriate for a student’s size, behavior, and chronological and developmental age.
6. The room has a ceiling height and heating, cooling, ventilation, and lighting systems comparable to operating classrooms in the school.
7. **All seclusion rooms, in any school site, must be approved in writing by the Director of Federal Programs.**

Seclusion is prohibited:

1. For addressing behaviors such as general noncompliance, self-stimulation, and academic refusal. (Staff shall respond to such behaviors with less stringent and less restrictive techniques).
2. As a form of discipline or punishment.
3. As a threat to control, bully, or obtain behavioral compliance.
4. For the convenience of school personnel when unreasonable, unsafe, or unwarranted behaviors are being exhibited.
5. If the student is known to have any medical or psychological condition that precludes such action (as certified by a licensed health care provider in a written statement provided to the principal of the school in which the student is enrolled).

PHYSICAL RESTRAINT GUIDELINES

Physical restraint is permitted only under the following conditions:

1. If the student's behavior presents a threat of imminent risk of harm to self or others.
2. As a last resort to protect the safety of self and others.
3. In a manner that causes NO PHYSICAL INJURY to the student.
4. Results in the least possible discomfort to the student.
5. Does not interfere in any way with a student's breathing or ability to communicate with others.
6. Does not involve the use of any form of mechanical restraint. An exception would be the use of a protective device for students who are flight risks. The use of this device must be included in the student's IEP with parent approval and with an order from a licensed healthcare provider.
7. The student is not physically restrained in a manner that places excessive pressure on the student's chest or back or that causes asphyxia or in a manner that reduces oxygen/blood flow.
8. Applied only in a manner that is directly proportionate to the circumstances and to the student's size, age, exceptionality (if applicable) and severity of behavior.
9. When school administration and Non-Violent Crisis Intervention (NCI) Team determine that physical restraint is not effective, the student's parents will be notified. School administration along with the parent will determine the appropriate action (e.g., contact Sheriff's Department, Emergency Medical Services).

Physical restraint is prohibited:

1. As a form of discipline or punishment.
2. As a threat to control, bully, or obtain behavioral compliance.
3. For the convenience of school personnel.
4. When unreasonable, unsafe, or unwarranted.
5. If the student is known to have any medical or psychological condition that precludes such action (as certified by a licensed health care provider in a written statement provided to the school in which the student is enrolled).

MONITORING & DOCUMENTATION

Seclusion/restraint requires monitoring, documentation, and analysis of data collected:

1. Continuous monitoring.
2. Documentation every five (5) minutes (with adjustments made accordingly).
3. Student is released/removed as soon as the reasons for the action have subsided.
4. If the behavior persists for longer than 20 minutes, the student's parent(s) will be notified again to come to the school. School administration, along with parent, will determine the appropriate action (e.g., contact Sheriff's Department, Emergency Medical Services or other agencies).
5. Parent/guardian, grade level Special Services Supervisor, Director of Federal Programs and Child Welfare and Attendance Supervisor (if student with an exceptionality) and Principal will be notified in writing (Restraint/Seclusion Report Forms in Appendix) within 24 hours of EACH incident of seclusion/restraint. If the student is a student with no exceptionalities, the Director of Curriculum and Instruction will also be notified as well as the school liaison Supervisor and Child Welfare and Attendance Supervisor. The following must be contained in the written documentation:
 - a. Reason for seclusion/restraint;
 - b. Description of procedures used;
 - c. Length of time of seclusion/restraint;
 - d. Names and titles of school employees involved.
6. Person/Employee who used seclusion/restraint shall complete Seclusion/Restraint Report Form (Appendix) for each incident of restraint and seclusion.
7. If a student is involved in two incidents in a single school year involving the use of physical restraint and/or seclusion, the student's IEP team shall review and revise the student's behavior intervention plan to include any appropriate and necessary behavioral supports. The review and revision shall also apply to 504 plans or RTI plans.
8. If the student's challenging behavior continues or escalates requiring repeated use of seclusion or physical restraint practices (2 incidents or longer than 20 minutes), the behavior facilitator assigned to the student's school shall review the student's plans at least once every three weeks as documented on a written a review log housed in the student's folder.

Each incident involving a student with a disability and who has an IEP must be reported to the Louisiana Department of Education through the Special Education Reporting (SER) system. Seclusion/Restraint data must be analyzed at least annually. It is recommended that data will be used to track the number of incidents of seclusion by student, staff, and type of incidents; and other factors such as precipitating events and other observable factors.

These procedures should be reviewed and revised as necessary throughout the school year to ensure appropriateness and effectiveness.

MECHANICAL RESTRAINT

NO STUDENT SHALL BE SUBJECTED TO ANY FORM OF MECHANICAL RESTRAINT.

Mechanical Restraint is the use of any device or object used to limit a student's freedom of movement.

Children with physical disabilities may require assistance for positioning and require specialized devices to provide support. Mechanical restraint does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional and are used for the specific and approved purposes for which such devices were designed, such as:

1. adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports;
2. vehicle safety restraints when used as intended during the transport of a student in a moving vehicle;
3. restraints for medical immobilization;
4. orthopedically prescribed devices that permit a student to participate in activities without risk of harm; or
5. any device used by a duly licensed law enforcement officer in the execution of his official duties.

Students using these systems should also be monitored with continuous supervision to address circulation, breathing, and sensory concerns. If adverse reactions are noted, the system and/or device should be discontinued immediately, and the licensed therapist should be contacted.

It is noted that these systems and/or devices should not be utilized to restrict the movement of the student or as a punishment for behavior. Students shall not be in the systems for more than the number of minutes designated by the licensed therapists. Any weight applied to the student should not exceed five to ten percent of the student's body weight. Lap trays may be utilized for classroom and cafeteria activities as long as they are not used to restrict the student's movements.

DEFINITIONS

Crisis Prevention Institute (CPI) – The institute whose purpose is to formally validate the global standard of providing high-quality, meaningful training in the safe management of disruptive and assaultive behavior and to formally recognize professionals and other stakeholders committed to that standard.

Crisis Team – A group of up to five (5) persons trained and currently certified in Non-Violent Crisis Intervention (NCI) based at the school/site.

Decision Making Matrix - A tool that can help staff reach objective critical decisions about risk.

Disengagement - The use of physical intervention to gain a release from any holding situation while minimizing risk or pain or injury in situations in which behavior has been assessed as a low, medium, or high risk to self or others.

Haptics – Communication through touch; a form of nonverbal communication.

Higher-Level Holding - Physical intervention necessary to restrict a person’s range of movement in relation to high-risk behavior as determined by a behavioral risk assessment. Higher level holding is designed to restrict a person’s ability to move away from staff and prevent the person being held from causing significant harm to self or others.

Imminent Risk of Harm - An immediate and impending threat of a person causing substantial physical injury to self or others. The risk is “imminent” if it is likely to occur within a matter of moments.

Lower-Level Holding - Physical intervention necessary to use as a guide or physical prompt or to provide physical support to limit the person’s range of movement in relation to low-risk behavior as determined by a behavioral risk assessment.

Mechanical Restraint - The use of any device or object used to limit a student’s freedom of movement. This term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional and are used for the specific and approved purposes for which such devices were designed, such as:

6. adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports;
7. vehicle safety restraints when used as intended during the transport of a student in a moving vehicle;
8. restraints for medical immobilization;
9. orthopedically prescribed devices that permit a student to participate in activities without risk of harm; or
10. any device used by a duly licensed law enforcement officer in the execution of his official duties.

Medium-level Holding - Physical intervention necessary to limit the person's range of movement in relation to medium-risk behavior as determined by a behavioral risk assessment. Medium-level holding is designed to limit the person's ability to move away from staff and cause harm to self or others.

Non-Violent Crisis Intervention (NCI) – The research based training program developed and published by Crisis Prevention Institute (CPI) adopted by the St. Martin Parish School Board.

Non-Violent Safety Holds - Includes safety holds that restrict youth movement for the management of violent or self-destructive behavior that jeopardizes the immediate physical safety of the student or others. The approved holds:

1. Interim Control Position
2. Child Control Position
3. Team Control Position
4. Transport Position
5. Seated Position (Low, Medium, High)
6. Standing Position (Low, Medium, High)

Opt-Out Sequence - An algorithm (matrix – see Appendix) designed to assist staff in the assessment of risk behavior and decision making required during the use of physical interventions. The Opt-Out Sequence enables staff to reduce the duration of physical interventions, minimize the potential adverse outcomes(risk) associated with such approaches and re-establish Therapeutic Rapport.

Physical Escort - Touching or holding a student with or without the use of force for the purpose of directing the student to a new location. Physical escort does not include the unforced holding of a student's hand or other physical prompts for the purpose of safely guiding the student from one task to another or directing the student in an educational activity.

Physical Restraint - Bodily force used to limit a person's movement. The term does NOT include the following:

1. Consensual, solicited, or unintentional contact;
2. Momentary blocking of a student's action if the student's action is likely to result in harm to the student or any other person;
3. Holding of a student, by one school employee, for the purpose of calming or comforting the student, provided the student's freedom of movement or normal access to his or her body is not restricted;
4. Minimal physical contact for the purpose of safely escorting a student from one area to another;
5. Minimal physical contact for the purpose of assisting the student in completing a task or response.
6. Holding of a student by a school employee, for less than five minutes in any given hour for the protection of the student or others.

Positive Behavior Interventions and Support (PBIS) - A systematic approach to embed evidence-based practices and data-driven decision making when addressing student behavior in order to improve school climate and culture.

Seclusion - A procedure that isolates and confines a student in a separate room or area until he/she is no longer an immediate danger to self or others.

Seclusion room - A room or other confined area, used on an individual basis, in which a student is removed from the regular classroom setting for a limited time to allow the student the opportunity to regain control in a private setting and from which the student is involuntarily prevented from leaving. This term does not include a timeout, which is a behavior management technique that is part of an approved program, involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming.

Therapeutic Rapport - An approach used to re-establish communication with an individual who is experiencing Tension Reduction. This is characterized by a decrease in emotional and physical energy.

Time Out – A behavior reduction procedure that involves the absence of positive reinforcement for a limited period of time. Time out may include: (1) *Inclusionary time-out* where the student remains in sight and sound of others in the classroom; (2) *Exclusionary time-out* where the student leaves the learning environment and goes to another location but is not isolated and prevented from leaving. These forms of time-out are NOT considered by the School Board to constitute seclusion but must be monitored and documented at the school level to ensure that repetitive incidents of time-out do not occur and, if occurring, do not result in substantial isolation of the student from instructional activities.

CONTROL POSITION REPORT FORM

ST. MARTIN PARISH SCHOOL BOARD

Date of Report: _____

Student Name: _____ School: _____ Grade: _____ Exceptionality: _____

Date of Restraint: _____ Time of Restraint: _____ Start Time: _____ End Time: _____

Teacher/Staff Initiating Restraint: _____ Location: _____ Students/Staff Present _____

Physical Intervention Used: _____ Circle all that applies

Interim Control Position Child Control Position Team Control Position

Transport Position Seated Position (Low, Med, High) Standing Position (Low, Med, High)

Injuries: Yes No Details: _____

Class/Specific Activity at Time of Restraint/ Preceding Restraint:

Student's behavior that prompted the restraint: check all that applies

☐ Imminent serious physical harm to themselves ☐ Imminent serious physical harm to others ☐ Imminent serious physical harm to themselves and others ☐ Imminent serious property destruction ☐ Imminent serious physical harm to themselves and imminent serious property destruction ☐ Imminent serious physical harm to others and imminent serious property destruction ☐ Imminent serious physical harm to themselves and others and imminent serious property destruction

Explain student behavior(s) that prompted physical restraint:

Efforts made to de-escalate the situation: Check all that applies

☐ Provided choices ☐ Verbal redirection ☐ Calming techniques ☐ Reduced demands ☐ Reduced verbal interaction
☐ Other _____

Alternatives to restraint that were attempted: Check all that applies

☐ Removal of other students ☐ Request for assistance ☐ Voluntary removal of student to another location
☐ Other _____

Explain: _____

Post-vention:

Describe the outcome of establishing Therapeutic Rapport with the student after the crisis incident: _____

Was Parent Notified? ☐ Yes ☐ No Time & Date of Notification: _____ Method of Notification: _____ Person
Contacting Parent: _____

Has student been restrained and/or secluded 2 or more times this year?

☐ Yes ☐ No

If yes, IT IS MANDATORY the IEP/504 plan be reconvened immediately to review and revise appropriate behavioral supports.

Other Comments or Observations: _____

Person Initiating Restraint _____ School Administrator _____
Signature Signature

SECLUSION REPORT FORM

ST. MARTIN PARISH SCHOOL BOARD

Student Name: _____ Date of Report _____
 School _____ Grade: _____ Exceptionality: _____
 Date of Seclusion: _____ Time of Seclusion: _____
 Teacher/Staff Initiating Seclusion: _____

Person(s) Supervising Student during Seclusion: _____

Describe Behavior Warranting Seclusion: _____

Class/Specific Activity at Time of Incident/Preceding Seclusion: _____

Possible Triggers: _____

It is MANDATORY that student be monitored constantly.

- | | | |
|-------------|--------------------------|------------------------|
| 1. Agitated | 4. Hostile | 7. Self-Abusive |
| 2. Calm | 5. Physically Aggressive | 8. Verbally Aggressive |
| 3. Crying | 6. Quiet | 9. Other: _____ |

| Document Behavior every 5 min using codes above. | | | | | | | | | | | | Start time: | End Time |
|--|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------------|----------|
| 5 min. | 10 min | 15 min | 20 min | 25 min | 30 min | 35 min | 40 min | 45 min | 50 min | 55 min | 60 min | | |
| | | | | | | | | | | | | | |

Was Parent notified? _____ Yes _____ No Date & Time of Notification: _____
 Method of Notification: _____ Person Contacting Parent: _____ Has
 student been restrained/secluded 2 or more times this year? _____ Yes _____ No

If **yes**, IT IS **MANDATORY** the IEP/504 plan be reconvened immediately to review and revise appropriate behavioral supports.

Other Comments or Observations: _____

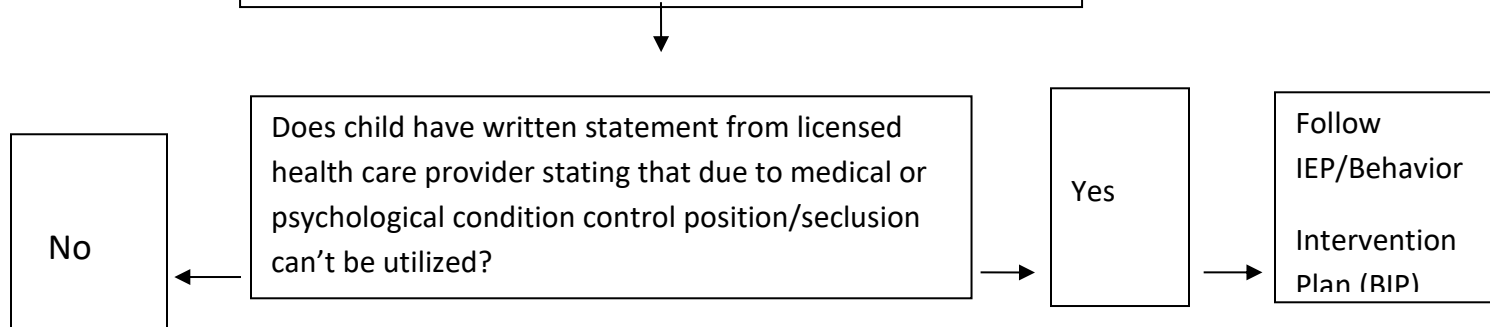
Person Initiating Seclusion _____ School Administrator _____
SignatureSignature

This form must be completed within 24 hours. Copies must be sent to Parent, Special Services Supervisors, Director of Federal Programs, Child Welfare and Attendance Supervisor and Principal within 24 hours.

Seclusion/Control Position

"Imminent risk of harm" means an immediate and impending threat of a person causing substantial physical injury to self or others.

Flow Chart



Team approach: don't engage alone if possible

