

## **SECLUSION, ISOLATION AND RESTRAINT**

### **Preface**

Recognizing that each student is unique and each situation is different, these are, the standard operating procedures that will be employed by SSD District staff in cases in which crisis intervention is needed in order to protect the safety, health and welfare of students, staff and others in the school setting and to maintain a safe and orderly environment for learning. (All definitions are included at the end of the policy)

### **Purpose**

Through the adoption of this policy, the Board of Education expects to:

1. Promote safety and prevent harm to students, school personnel and visitors in the school district.
2. Foster a climate of dignity and respect in the use of discipline and behavior-management techniques.
3. Provide school personnel with clear guidelines about the use of seclusion, isolation and restraint in response to emergency situations.
4. Provide parents/guardians information about state guidelines and district policies related to the use of discipline, behavior management, behavior interventions and responses to emergency situations.
5. Promote the use of positive behavior support techniques and nonaversive behavioral interventions.

### **Policy Applicability**

This policy applies to all Special School District (SSD) personnel employed by Special School District, volunteering for the SSD or performing services on behalf of the SSD or at the direction of the SSD. School District Employee or Personnel includes a volunteer or a contractor, including Student Teachers, School Resource Officers (SROs) or employed off duty police officers. The SSD personnel can be assigned on all campuses whether an SSD site, Partner Districts' site or community site. Nothing in this policy is intended to prevent a law enforcement officer who is employed as a school resource officer or off duty police officer from exercising appropriate police authority either when attempting to prevent a criminal act from occurring or when responding to a criminal act. Staff assigned to programs not located on district premises, whether owned or leased or at no cost to SSD (hospitals, detention centers, juvenile facilities, and mental health facilities) shall follow the policy and procedure of the SSD.

SSD personnel assigned to facilities not located on SSD premises (hospitals, detention centers, juvenile facilities and mental health facilities, etc.) will follow the facilities' policies unless such policies conflict with the SSD's policy. If there is a conflict, the employee will notify his or her supervisor and follow the SSD district policy until otherwise directed by the SSD's Superintendent or designee.

SSD District Employee does not include law enforcement officers who are on duty who are dispatched to an SSD campus or who are otherwise on campus while on duty, or off duty police officers who are on campus but who are not at the time acting in the employ or under the supervision and control of SSD.

### **I. Behavioral Interventions**

A continuum of behavior interventions are recommended for any student with behavioral concerns that are significantly impacting their access to the educational curriculum. It is best practice for staff to provide universal supports throughout the school environment, conduct a functional behavioral assessment and develop a behavior intervention plan and implemented the plan with fidelity. If additional intervention is needed in a crisis situation, the following steps will be taken. The steps are listed in order beginning with the least restrictive technique.

#### **A. Intervention Strategies – Non-Physical Interaction**

1. Preventative strategies are intended to prevent the escalation of negative behavior to the crisis stage and may include such things as active listening, encouragement, problem solving, clarifying expectations, redirections, restructuring the environment, social skills training and use of sensory supports.
2. Non-verbal de-escalation techniques include the use of proximity or personal space, and body language, including facial expressions, gestures, posture and movement.
3. Verbal de-escalation techniques involve the use of voice tone and volume, rate of speech and the use of appropriate language.

#### **B. Crisis Strategies – Physical Interaction**

1. Personal safety techniques are procedures used to maintain the safety of both students and staff. The procedures are used to intervene with individuals exhibiting violent or aggressive behavior and include methods intended to prevent hair pulling, choking, biting and the release of wrists and clothing.

2. Physical Restraint &/or Physically transporting a student to a secure setting, is used only a last resort when the safety of the student, or other students, staff or other persons are threatened, and only when other avenues of non-physical crisis intervention have been exhausted. In all but the most immediately physically threatening situation, intervention strategies must be exhausted before applying physical restraint. Physical restraints may not be used as a punitive form of discipline, as a threat to control the student, or to coerce compliant behavior.

Physical restraint will:

- Only be used for as long as necessary to resolve the actual risk of danger or harm that warranted the use of physical restraint.
- Be no greater than the degree of force necessary to protect the student or other persons from imminent bodily injury.
- Only be applied by SSD personnel trained in the proper use of physical restraint.

Physical restraint will not:

- place pressure or weight on the chest, lungs, sternum, diaphragm, back, neck or throat that restricts breathing.
- Include a prone restraint which means forcibly placing or keeping an individual's body face down upon a surface and physically applying pressure to the body.

SSD personnel who use physical restraint shall only use restraint methods in which they have received district-approved training. Further, SSD personnel who use physical restraint may only do so in the presence of at least one (1) additional adult who is in the line of sight unless no other adult is immediately available due to an unforeseeable emergency situation. Physical restraints should never be used as a form of punishment or for the convenience of district personnel. . More specific guidelines regarding physical restraint will be included in the regulations issued to implement this policy.

### **C. Mechanical Restraint**

*A mechanical restraint is a device or physical object that the student cannot easily remove that restricts a student's freedom of movement or normal access to a portion of his or her body. This includes, but is not limited to: straps, duct tape, cords or garments. The term does not include*

assistive technology device used as they were designed (e.g. gait belts, glove, helmets, tables attached to cube chairs, arm splints, belts on items such as swings). Mechanical restraint shall never be used by SSD personnel with the following two (2) exceptions:

1. Vehicle safety restraints shall be used according to state and federal regulations.
2. Law enforcement officers who are on duty who are dispatched to an SSD campus or who are otherwise on campus while on duty, or off duty police officers who are on campus but who are not at the time acting in the employ or under the supervision and control of SSD. They should be used in accordance with appropriate professional standards and applicable policies.

#### ***D. Chemical Restraint***

Chemical restraints shall never be used by SSD personnel. A chemical restraint means the administration of a drug or medication to manage a student's behavior that is not a standard treatment and dosage for the student's medical condition or that is prescribed as a PRN (as needed bases).

#### **E. Isolation**

Isolation is defined as an enclosed space without a mechanical lock separating them from other students and instruction. This also includes blocking a student with a person's body or other item. Isolation does not include supervised in-school suspension or detention.

Isolation shall only be used:

1. In an emergency situation, or
2. When less restrictive measures have not effectively de-escalated the situation and the school has a plan for how to respond in such situations, or
3. With parental approval as stated on the IEP or 504 Plan unless for emergency purposes while waiting for law enforcement personnel to arrive.

A student in isolation must be monitored by district personnel who are in close proximity and able to see and hear the student at all times. Monitoring shall be face to face unless personal safety is significantly compromised, in which case technology-supported monitoring (a device which utilizes a camera and monitor) may be utilized. Isolation also includes blocking a student from leaving an area with either a persons' body or item for 1 minute or more; less than one

minute is non-verbal redirection. The total duration in isolation is to be reasonably calculated based on the age of the student and the circumstances and is not to exceed 40 minutes or less depending on situation.

**F. Secure Observation Room**

Secure Observation Room (SOR) is a specially designed room in which the door is locked and students are continuously observed. Visual monitoring may be through a technology-supported device which utilizes a camera and monitor.

1. With parental approval as stated on the IEP or 504 Plan.
2. In an emergency situation while awaiting the arrival of law enforcement personnel as provided for in RSMo 160.263, or until de-escalation occurs naturally prior to law enforcement personnel arriving at the Secure Observation Room may not be used as a punitive form of discipline, as a threat to control the student, or to coerce compliant behavior. A student in secure observation room must be monitored by district personnel who are able to see and hear the student at all times. Monitoring shall be technology-supported device which utilizes camera and monitor. The total isolation is to be reasonably calculated based on the age of the student and the circumstances and is not to exceed 40 minutes ~~or less~~ depending on situation.

**G. Seclusion**

Seclusion is defined as the confinement of a student alone unattended in an enclosed space from which the student is physically prevented from leaving by locking hardware.

Seclusion shall only be used:

1. In an emergency situation while awaiting the arrival of law enforcement personnel as provided for in RSMo 160.263, or until de-escalation occurs naturally prior to law enforcement personnel arrival.

Seclusion may not be used as a punitive form of discipline, as a threat to control the student, or to coerce compliant behavior. A student in seclusion must be monitored by district personnel who are able to see and hear the student at all times.

## H. Aversive Interventions

Aversive interventions are not allowed. (SSD Policy JGA) Aversive intervention is an application of stimuli or procedure designed to cause physical pain, discomfort or sensory overload/deprivation. ~~An exception to this is in an emergency situation law enforcement officers may use pepper spray in accordance with appropriate professional standards and applicable policies.~~

## II. Debriefing and Communication:

1. Staff Debriefing — Following any emergency situation involving the use of isolation, secure observation room, seclusion, or restraint a staff debriefing shall occur as soon as possible but no later than one (1) school day after the emergency situation. The debriefing shall include at a minimum a discussion of the events that led to the emergency and why the de-escalation efforts were not effective; any trauma reactions on the part of the student, other students or staff; and what, if anything, could have been done differently. All staff members directly involved with the emergency situation will be included in the meeting, which will be scheduled and led by the building principal, SSD Area Coordinator or designee.
2. Student Debriefing – Following any emergency situation a staff member will use the District approved format to reestablish Therapeutic Rapport with the individual.
3. Parental Notification — Unless as otherwise specified in a student IEP, or 504 plan:
  - a. The parent or guardian of the student shall be notified through verbal or electronic means of the incident as soon as possible but no later than the end of day of the incident unless the parent/guardian cannot be located and reasonable contact attempts are documented.
  - b. Parent or guardian shall be invited to meet and discuss the incident with the full team whose presence was required at the team debriefing as soon as possible but no later than ten school days.
  - c. The parent or guardian shall receive a written report of the emergency situation within five (5) school days of the incident, unless otherwise specified in a student's IEP or Section 504 Plan. The written incident report shall include all of the following:

**FILE: JGGA**

- i. date, time of day, location, duration, and description of the incident and interventions;
- ii. event(s) that led up to the incident;
- iii. nature and extent of any injury to the student;
- iv. name of a school employee the parent or guardian can contact regarding the incident.; and
- v. a plan to prevent the need for future use of seclusion, isolation or restraint.

### **III. Training**

SSD Staff Training —SSD shall ensure that all school personnel are trained annually and know the policy and procedures involving the use of seclusion, isolation and restraint. Training will be at two levels depending on the staff assignment.

1. Level 1 Training shall include all of the following:
  - a. Continuum of prevention techniques
  - b. Universal supports
  - c. Sensory supports
  - d. Environmental management techniques
  - e. Continuum of de-escalation techniques
  - f. Information about the policies JGA, JGAA, JGAA-reg.; and
  - g. Consequences for not following the policy.
2. Level 2 training is for school personnel who utilize restraint and/or isolation and /or seclusion. The training shall include all of level 1 training, plus all of the following:
  - a. Disability specific information and how a student with specific diagnosis processes interventions differently;
  - b. De-escalation practices, and those included in district recognized crises intervention system;
  - c. Appropriate use of physical restraint, through SSD recognized crisis intervention programs;
  - d. Professionally-accepted practices in physical management and use of restraints;
  - e. Methods to explain the use of restraint to the student who is to be restrained and to the individual student's family;
  - f. Functional Assessment;
  - g. How to write a behavior intervention plan;
  - h. Appropriate use of isolation;
  - i. Appropriate use of seclusion; and

- j. Information on the policy, incident report, documentation and notification procedures.

**IV. Documentation required on IEP or 504 Plan if parent or guardian approves:**

If the IEP team determines, and the parent consents, that a form of restraint or isolation may be appropriate in certain identified and limited situations the team may set forth the conditions and procedures in the IEP or 504 plans, however, these conditions and/or procedures must not violate any SSD policy. Any use of restraint or isolation must be limited to what is set forth in the IEP or 504 plan. If the IEP or 504 plan permits use of restraint or isolation it must also contain a plan to eliminate the need for their use. Before adding the use of restraint or isolation to an IEP or 504 plans, the student must have undergone a functional behavior assessment and a positive behavior support plan developed by a team. The team should include but not be limited to the following people: parent, classroom

teacher, or specialists who work with behaviors that interfere with a student's ability to participate in their education.

**V. Documentation and Reports on use of restraint, isolation, secure observation room and seclusion:**

The SSD superintendent or designee of SSD shall maintain records documenting the use of restraint, isolation and seclusion by SSD staff. The report will include the following: when, reason for use, duration, names of staff involved, whether students or staff were injured, name and age of the student, whether the student has an IEP, Behavior Intervention Plan (BIP) or personal safety plan, when the parents/guardian were notified, if the student was disciplined, and any other documentation required by federal or state law. When law enforcement officer is involved, who are not district personnel, documentation is completed as required by the municipality and not by SSD staff.

**VI. Violations of this policy:**

Violation of this policy by SSD personnel may result in disciplinary action up to and including termination.

## **Definitions**

*Assistive Technology Device* – Any item, piece of equipment or product system that is used to increase, maintain or improve the functional capacities of a student with a disability. Devices provided by Occupational Therapist or Physical Therapist which may temporarily isolate specific movement patterns intended for the sole purpose of providing postural stability and/or body alignment, in order to position the student for improved functioning. The term does not include assistive technology device used as they were designed (e.g. gait belts, glove, helmets, tables attached to cube chairs, arm splints, belts on items such as swings). All therapeutic equipment and/or techniques which could be deemed as restrictive should only be implemented upon the recommendation and instruction of qualified staff member who specializes in positioning and motor intervention. These are not considered mechanical restraints.

*Aversive Behavioral Intervention or Aversive Intervention* – An intervention that is intended to inflict pain or discomfort upon a student for the purpose of eliminating or reducing maladaptive behaviors, including such interventions as: contingent application of noxious, painful or intrusive stimuli or activities; any form of noxious, painful or intrusive spray, inhalant or tastes; or other similar interventions. The term does not include such interventions as voice control limited to loud, firm commands; time-limited ignoring of a specific behavior; token fines as part of a token economy system; brief physical prompts to interrupt or prevent a specific behavior; interventions medically necessary for the treatment or protection of the student; or other similar interventions. This term also does not include pepper spray which may be used by law enforcement officers in accordance with appropriate professional standards and applicable policies.

*Behavioral Intervention* – An individualized instructional and environmental support that teaches students appropriate behaviors to replace problem behaviors. Problem behaviors that interfere or impede accessing the educational environment for self or other. Behavioral interventions are guided by a functional behavioral assessment that identifies the communicative intent of problem behavior and takes into consideration any known medical, developmental or psychological limitation(s) of the student.

*Behavior Intervention Plan (BIP)* – A plan that sets forth specific behavior interventions for a specific student who displays chronic patterns of problem behavior. The plan should include the following:

*Behavior Management* – Comprehensive, school wide procedures applied in a proactive manner that constitute a continuum of strategies and methods to support and/or alter behavior in all students.

*Chemical Restraint* – Administration of a drug or medication to manage a student’s behavior that is not a standard treatment and dosage for the student’s medical condition or that is prescribed as a PRN (as needed bases).

*Confinement* – The act of preventing a student from leaving an enclosed space.

*Discipline* – Consequences for violating the district’s student code of conduct.

*Emergency Situation* – A situation in which a student’s behavior poses a serious, probable threat of imminent physical harm to self or others Imminent danger would include a high likelihood that an injury to a person would occur, within some degree of immediacy unless there is an intervention.

*Functional Behavior Assessment* – A systematic process for gathering information in order to determine the function of a person’s behavior in order to maximize the effectiveness and efficiency of behavioral support. A formal assessment to identify the function or purpose the behavior serves for the student so that classroom interventions and behavior support plans can be developed to improve behavior. The assessment could include observations and charting of the behavior and interviews with family, teachers and the student to determine the frequency, antecedent and response of the targeted behavior.

*Individualized Education Program (IEP)* – A student’s Individualized Education Program as defined by the Individuals with Disabilities Education Act (IDEA).

*Isolation* – The confinement of a student alone in an enclosed space without locking hardware. This also includes blocking a student with a person’s body or other item. Isolation does not include supervised in-school suspension or detention.

*Law Enforcement Officer* – Any public servant having both the power and duty to make arrests for violations of the laws of this state. Law enforcement officers will utilize a continuum of interventions exercising appropriate police authority either when attempting to prevent a criminal act from occurring or when responding to a criminal act.

*Locking Hardware* – Mechanical, electrical or other material devices used to lock a door or to prevent egress from a confined area.

*Mechanical Restraint* – A device or physical object that the student cannot easily remove that restricts a student's freedom of movement or normal access to a portion of his or her body. This includes, but is not limited to: straps, duct tape, cords or garments. The term does not include assistive technology devices or vehicle safety restraints used during transportation and law enforcement during the response to a call for a municipality police support.

*Personal safety techniques* – Procedures used to maintain the safety of persons attempting to intervene with individuals exhibiting violent or aggressive behavior. Includes methods intended to prevent hair pulling, choking, biting, and the release of wrists and clothing.

*Physical Escort* – The temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a student who is acting out or eloping to walk to a safe location.

*Physical intervention strategies* – Techniques including physical restraint or physically moving a student to a secure setting that may be used when the safety and well being of the student, other students, staff or other persons are threatened, and only when other avenues of non-physical crisis intervention have been exhausted.

*Physical Restraint* – The use of person-to-person physical contact to restrict the free movement of all or a portion of a student's body. It does not include briefly holding (less than 1 minute) a student without undue force for instructional or other purposes, briefly holding a student to calm the student, taking a student's hand to transport him or her for safety purposes, physical escort, or intervening in a fight.

*Positive Behavior Supports* – A range of instructional and environmental supports to teach students pro-social alternatives to problem behavior and allow multiple opportunities to practice pro-social skills and receive high rates of positive feedback.

*Restraint* – See the definitions for chemical restraint, mechanical restraint and physical restraint.

*School or District Employee or Personnel* – Any person employed by SSD volunteering for the district or performing services on behalf of the district or at the direction of the district. "School or District Employee or Personnel" applies to staff employed by Special School District who works for the district whether employed or as a volunteer or a contractor on our campuses, including Student Teachers, School Resource Officers (SROs) or employed off duty police officers, or persons employed by another agency who are providing educational or related services to students.

SSD Employee does not include law enforcement officers who are on duty who are dispatched to an SSD campus or who are otherwise on campus while on duty, or off duty police officers who are on campus but who are not at the time acting in the employ or under the supervision and control of SSD.

*Seclusion* – The confinement of a student alone unattended in an enclosed space from which the student is physically prevented from leaving by locking hardware.

*Section 504 Plan* – A student's individualized plan as defined by Section 504 of the Rehabilitation Act of 1973.

Secure Observation Room – A specially designed room in which the door is locked and students are continuously observed. Visual monitoring maybe through a technology supported device which utilizes a camera and monitor.

Sensory Supports – The use of specialized strategies, equipment, and/or environmental adjustments to address the over or under stimulation difficulties a student may be experiencing at a particular time.

Adopted: FIELD (AdoptDate)

Revised:

Legal Refs: §§ 160.261, .263, 563.061, RSMo.

FIELD(DistrictLocationLine)

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**EXPLANATION:**

Recent changes in Missouri law (§ 160.263, RSMo.) require all school districts in the state of Missouri to develop a policy on the use of seclusion, restraint and other responses to emergency or crisis situations in which student or educator safety is at risk. The Department of Elementary and Secondary Education (DESE) was directed to develop a model policy. The model policy is based on the premise that seclusion, isolation and restraint are used only in response to emergency or crisis situations and should:

1. Not be viewed as a behavior change or intervention strategy.
2. Be implemented only under extreme situations and as a matter of last resort.
3. Be implemented only by trained personnel.
4. Be accompanied by school wide, proactive, positive supports to prevent the need for their use.

MSBA's policy is very similar to the model released by DESE.

MSBA has defined an "emergency situation" to include harm to people or property. MSBA recognizes that some districts may want to limit the use of seclusion, isolation and restraint only to those situations involving people and not property. Either definition is acceptable.

The limit of 40 minutes for isolation can be modified by the district. This time limit was chosen as a middle ground based on many sources discussing best practices for the use of isolation.