

Guidance for Seclusion and Physical Restraint

School Year: 2020 - 2021



Introduction

This document provides guidelines and procedures for the defining, use, reporting, and notification of seclusion and restraint of students with exceptionalities within InspireNOLA Charter Schools. The guidelines and processes set forth within this document comply with La R.S. 17:416.21, 17:3996(B)(29), and BESE Bulletin 1706 §540-543 when concerning the behavior of students with exceptionalities in the use of seclusion and physical restraint.

Definitions

- **Mechanical Restraint:** A Mechanical Restraint is 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:
 - 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;
 - vehicle safety restraints when used as intended during the transport of a student in a moving vehicle;
 - restraints for medical immobilization; or
 - orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

It also does not include any device used by a duly licensed law enforcement officer in the execution of his official duties.

- **Physical Restraint:** Physical Restraint is using bodily force to limit the movement of a student's torso, arms, legs or head. This term does not include:
 - consensual, solicited, or unintentional contact;
 - 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;
 - 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;
 - minimal physical contact for the purpose of safely escorting a student from one area to another; or
 - minimal physical contact for the purpose of assisting the student in completing a task or response.
- **IMMINENT RISK OF HARM** – An immediate and impending threat of a person causing substantial physical injury to self or others.

1.

Seclusion: Seclusion is an involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. This procedure isolates and

confines a student until he or she is no longer an immediate danger to self or others. It may be used on an individual basis for a limited time to allow the student the opportunity to regain control in a private setting.

This method must not be used to address behaviors such as general noncompliance, self-stimulation, and academic refusal. Such behaviors must be responded to with less stringent and less restrictive techniques.

- **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 the 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.

A Seclusion Room 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.
3. If one student is placed in a seclusion room at any given time and the school employee supervising the student is able to see and hear the student the entire time the student is placed in the seclusion room.
4. The room is free of any object that poses a danger to the student placed in the room.
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.

A Seclusion Room is prohibited:

1. As a form of discipline or punishment. As a threat to control, bully, or obtain behavioral compliance.
2. For the convenience of school personnel. When unreasonable, unsafe, or unwarranted.

2.

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).

Seclusion is permitted only for behaviors that involve an imminent risk of harm:

1. As a LAST resort when de-escalation attempts have failed and the student continues to pose an imminent threat to self or others.
2. As long as necessary to minimize the imminent risk of harm while summoning the assistance of crisis intervention personnel, emergency medical services personnel, and/or law enforcement officers when a crime has been committed.

Seclusion is prohibited:

1. For addressing behaviors such as general noncompliance, self-stimulation, and academic refusal. (Such behaviors SHALL be responded to 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.
5. When unreasonable, unsafe, or unwarranted.
6. 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).

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.

This room is free of any object that poses a danger to the student, has an observation window and a size that is appropriate of the student's size, behavior, and developmental age.

3.

Usage of Seclusion or Physical Restraint

Every effort should be made to prevent the need for using seclusion or restraint techniques. **Only staff members who are trained in Crisis Prevention Intervention (CPI) can use physical restraint techniques.** Never involve mechanical restraints to restrict a student's freedom of movement.

Seclusion restraint must be used only:

- when a student's behavior presents a physically confrontational posture that may clearly indicate a threat of imminent physical violence to self and others;
- when a student presents with physical aggression towards objects and/or persons

Physical restraint must be used only:

- when a student's behavior presents a threat of imminent risk of harm to self or others and only as a last resort to protect the safety of self and others;
- only to the degree necessary to stop the dangerous behavior;
- in a manner that causes no physical injury to the student, results in the least possible discomfort, does not interfere in any way with the student's breathing or ability to communicate with others, and does not place excessive pressure on the student's back or chest; and
- in a manner that is directly proportionate to the circumstances and to the student's size, age and severity of behavior

Monitoring and Documentation

During the time of the incident, a school personnel should document within every 15 minute interval detailed information as to what is occurring. Within a week of the incident, an IEP conference is reconvene to document and discuss a behavior/social objectives for the student. In addition, a Functional Behavior Assessment (FBA) as well as a Behavioral Intervention Plan (BIP) will be developed with appropriate stakeholders at this conference. This plan is reviewed and modified as required based on the progress monitoring of the behavior within three weeks or less of the incident.

4.

Notification

- If/when a students has been secluded or physically restrained, the parent(s)/legal guardian(s) of the student who has been secluded or physically restrained will be notified of the incident as soon as possible and provided with a detailed written report of the incident within 24 hours. The Special Education Coordinator of the school that the student attends is responsible for this notification.

- The InspireNOLA Executive Director of Exceptional Student Services will be notified of the incident by the school Special Education Coordinator by the end of the school day on which the seclusion or physical restraint occurred.
- The Head of School, InspireNOLA CEO, OPSB, and Louisiana Department of Education will be provided a written report of the incident no later than the following school day on which the incident occurred. InspireNOLA’s Executive Director of Exceptional Student Services is responsible for these notifications.
- InspireNOLA will report all instances where seclusion or physical restraint is used to address student behavior to the Louisiana Department of Education through the special education reporting (SER) system on a monthly basis.

5.

PHYSICAL RESTRAINT REPORT FORM

Student Name: _____ Date of Report: _____
School: _____ Grade: _____ Exceptionality: _____
Date of Restraint: _____ Time of Restraint: _____ Start Time: _____ End Time: _____
Teacher/Staff Initiating Restraint: _____

InspireNOLA Guidelines and Procedures for Student Seclusion and Physical Restraint



Procedure used during the physical restraint was:

Injuries: Yes No Details:

Describe Behavior of Student and Environmental Situation Precipitating Physical Restraint:
Location: Students/Staff Present:

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

Other Possible Triggers:

Was Parent Notified? Yes No Time & Date of Notification: _____

Method of Notification: Person Contacting Parent: _____

Has student been restrained and/or secluded 5 or more times this year? ___Yes ___No

If Yes, it is MANDATORY that the IEP Team be reconvened promptly to review and revise, if necessary, the BIP and/or appropriate behavioral supports.

Other Comments or Observations:

Person Initiating Restraint: _____
Print Name Signature

School Administrator: _____
Print Name Signature

This form must be completed within 24 hours. Copies must be sent to Parent, Special Education Director, and Principal, then entered in SER, within that time period.



School Behavior Report – Monitoring Form Seclusion and Restraint Only

School: _____ Student PII: _____

Exceptionality: _____ Grade: _____

Incident Event Type: ____ Seclusion ____ Restraint

Answer the following:

I.	Incident Date	
II.	Begin Time	
III.	End Time	
IV.	Date report sent to parent/guardian (Behavior Form)	
V.	Date report sent to Director of Exceptional Student Services (Behavior Form)	
VI.	Adult Name/Title Responsible	
VII.	Role of Adult (care – giver, restraint, administer after – care)	

Has infraction been properly coded in PowerSchool? ____ Yes ____ No

Monitoring Completed by: _____ Date: _____

Summary of Findings:

This form must be completed within 24 hours. Copies must be sent to Parent, Special Education Director, and Principal, then entered in SER, within that time period.