



Franklin Township Community School Corporation

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Procedures on Physical Restraint, Seclusion, and Use of Time Out

It is the Policy of the Board to limit the use of physical restraint and seclusion of students in the education and discipline of students. The use of mechanical or chemical restraint of students is prohibited in the education and discipline of students. These procedures are provided to ensure strategies for the use of physical restraint, seclusion, and time out are used safely and in a manner that is in the best interests of the student.

For definitions of several terms used within this document the reader is referred to the FTCS Administrative Guidelines on Seclusion and Restraint found at: *T:\Special Education Staff\Administrative Guidelines and Procedures\Seclusion and Restraint\Administrative Guidelines on Seclusion and Restraint.*

Overview

The FTCS is committed to the district-wide implementation of Positive Behavior Intervention and Support (PBIS). Each school within the FTCS has a crisis response team (CRT) that has been created to ensure the implementation of positive behavioral interventions and supports on a school-wide basis. The CRTs have building specific procedures in place to ensure every effort is taken to prevent the need for restraint and/or seclusion of a student. However, the FTCS recognizes that at times it may become necessary for employees to use reasonable restraints and/or seclusion when there is substantial risk of harm to the student or others. Restraint or seclusion should not be used as a means of punishment or convenience. Every behavioral intervention used must ensure the right of all students to be treated with dignity and respect, and free of abuse. Through the PBIS initiative, students are explicitly taught behavioral expectations across school environments and are provided with clearly described rewards and consequences.

Each CRT has been trained using an evidence based approach to responding to students in crisis which focuses on verbal de-escalation strategies as the primary response to a student with escalating behaviors. Students with misbehavior related to their disability have specific behavior intervention plans (BIP) that have been created through the Functional Behavior Assessment (FBA) process. Staff members intervene with these students in accordance with their Individualized

Education Program (IEP) and BIP. Per each student's IEP, data is collected on the BIP to determine its effectiveness with the student. The overarching goal for PBIS is to create a safe and caring learning environment with clear behavioral expectations for all students in an effort to reduce, prevent and avoid behaviors that may result in the need for use of time out, seclusion or physical restraint with a student.

Physical Restraint

The term *Physical Restraint* means 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. Restraint of any kind shall not be used in any instance in which the sole justification is to punish the student for a violation of a directive from a staff member, violation of student conduct rule, the student's use of vulgar or profane language, a verbal threat, or a display of disrespect for another person. A verbal threat shall not be considered as sufficient justification for the use of physical restraint unless a student has or has immediate access to the means of acting on the threat.

If a call is made to have a CRT arrive to assist with a student, the CRT members must clearly know which of them is considered to be the supervising staff member. This individual must be documenting what is taking place with the student including start and end times for the various interventions attempted and used. The CRT must be at least three individuals all who have successfully completed a research-based method for crisis prevention (CP) training. Restraint may be used only as a last resort safety procedure after a less restrictive procedure has been implemented without success. In determining whether a student who is being physically restrained should be moved from the area where the need was first noted or the restraint first applied, the supervising staff member shall consider the potential for injury to the student, the educational and emotional well-being of the restrained student and other students who would observe the application of the restraint, and any requirements detailed in the restrained student's BIP and/or IEP.

A restraint shall only be implemented by staff members who are CP trained and are part of the school's CRT. In rare, clearly unavoidable circumstances non CP trained staff may employ a restraining procedure with a student when CP trained personnel are not available. However,

assistance from CP trained personnel should be sought immediately. Mechanical, prone, or supine forms of restraint are not authorized by the FTCSC. When a student has a known medical or physical condition that would make restraint procedures dangerous for the student, they shall not be implemented. Application of physical restraint to a student with a disability must take into consideration the student's IEP and any BIP that has been developed for the student.

Restraint may 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. The supervising staff member must be documenting the student's behaviors and as soon as s/he has stabilized inform the CRT of this. A student shall be released from physical restraint immediately upon a determination by the supervising staff member administering or overseeing the use of restraint that the circumstances pertaining to the use of restraint no longer exists. Physical restraint may only be used on a student if an emergency requires the use of restraint. As used here, "emergency" means circumstances in which a staff member reasonably believes that application of a restraint on the student is necessary in response to a physical risk of harm to the student or others. The degree of restraint 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.

Seclusion

Any use of seclusion must comply with the FTCSC's *Administrative Guidelines* and *Board Policy on Use of Restraint and Seclusion*. The use of seclusion with a student with a disability shall also be subjected to any conditions described in the students' IEP and, if applicable, BIP. Seclusion shall never be used as punishment or discipline (e.g., placing in seclusion for out-of-seat behavior), as a means of coercion or retaliation, or as a convenience). Seclusion shall never be used when the student's known medical or physical condition would made the use of seclusion dangerous for that student.

Seclusion shall only be used when a student is displaying a behavior that could result in substantial risk to him/herself or to others around him/her. Seclusion may be used only as a last resort safety procedure after a less restrictive procedure has been implemented without success. Seclusion may be used only when the student can be transported safely to the seclusion environment by CP trained staff members using appropriate techniques.

Any student placed in seclusion must be visually monitored at all times by a CP trained FTCSC staff member who must be fully informed of these *Procedures*, the *FTCSC Administrative Guidelines* and

the *Board Policy on Use of Restraint and Seclusion*. The staff member's duties shall be assigned so that the staff member can carefully and continuously supervise the isolated student, have ongoing communication with the student, and see as well as hear the student at all times in order that they monitor the student for visual or auditory signs of physiological distress. During any seclusion the student must be permitted to use the restroom upon request. Under this circumstance, the student shall be escorted to and from the restroom. During any seclusion the student must be provided with water upon request. A student shall not be isolated for more than thirty (30) minutes after the student stops the specific behavior for which seclusion was imposed or any other behavior for which seclusion would be an appropriate response. . If a student with a disability is placed in seclusion pursuant to a BIP or IEP, the time limitations identified in the BIP or IEP shall be followed and applied by the staff member.

Time Out

The FTCSC expects all staff to hold developmentally appropriate expectations for students and to teach/reinforce/model for our students how to appropriately resolve problems. With consistency, patience and perseverance, students will learn appropriate social behaviors. Positive disciplinary practices allow students the opportunity to learn that rules exist to help keep us safe; and, when a rule is not followed there are consequences. This is not something that all students learn with ease as some require more explicit and direct instruction in this area than others. As part of a classroom positive behavioral interventions and supports (PBIS) plan, a culminating consequence may be the use of Time Out. Many believe that the term Time out is actually an abbreviation for "*Timeout from Positive Reinforcement*". That is how a PBIS classroom management plan should function – with so many clear, positive reinforcements ongoing throughout the instructional time that a student wants to receive more of those positive strokes and does not want to be removed from that gratifying environment.

Any consequence should only occur when, after the student has been taught the rules and expectations and provided with a progression of 'notices' or 'warnings' s/he continues to engage in behaviors contrary to those rules and expectations. For many of our students with disabilities these rules, expectations, notices and warnings must be brief and clear (i.e., Raise Hand Quietly, Stay in Seat , Be a Good Neighbor and One Dot for Each Warning/Five Dots = Time Out, etc.). Some students also benefit from the use of visuals to depict the rules and expectations.

If Time Out is used as a consequence for not complying with the classroom rules and/or expectations, the student must be provided with an explanation as to what s/he did to reach the

point of necessitating a consequence and what s/he should do next time to ensure s/he does not end up in Time Out. Time Out procedures that do not create seclusion of a student are permitted in schools within the FTCSC. If Time Out is used it must be both developmentally and behaviorally appropriate and be relatively short in duration. One tenet may be to limit the Time Out session to one minute for each year of the student's age. Research shows that lengthy punishments are rarely effective. Upon returning from Time Out the student needs to be reminded of the rule(s) and classroom expectation(s) and any prior 'strikes' or 'demerits' wiped clean so that s/he has a fresh start.

CRT Response Procedures

The CRT must have clearly defined procedures for how staff within the building notify them of a need for their assistance¹. The *CRT Response Procedures* must be written and shared with all staff within the building at the beginning of each school year. No later than September 30 of each calendar year, the *CRT Response Procedures* must be reviewed by the Behavior Consultant for the FTCSC and a copy filed with the Assistant Superintendent for Curriculum. Keep in mind that the Behavior Consultant is willing to work with building level CRTs as they develop their *CRT Response Procedures*. At a minimum the *CRT Response Procedures* must include:

- (1) Who the members of the CRT are and how the list is updated throughout the school year.
- (2) The role and responsibility(ies) of each CRT member.
- (3) Whether there is one CRT for the building or multiple CRTs grouped by the grade level, time of day, or location within the building, etc. for which the CRT is alerted to respond.
- (4) How the CRT is alerted regarding a need for their services.
 - a. Is there a code word used on the PA system to alert CRT members to respond to a specific location?
 - b. Who steps in or covers the CRT member's class or school duties when an alert is made?
 - c. When the CRT arrives if the other students in that room need to be relocated who makes that decision and where do they go?
 - d. If the student in crisis needs to be removed from the room to which the CRT responds who makes that determination and where is the student taken?

¹ For assistance, principals are encouraged to review: (2007) Office of Safe and Drug Free Schools. [Practical information on crisis planning: A guide for schools and communities](#). U.S. Department of Education. Available at T:\Special Education Staff\Administrative Guidelines and Procedures\Seclusion and Restraint\ US DOE Practical Information on Crisis Planning 2007

- (5) How the supervising staff member for each 'alert' or request for a CRT response is designated.
- (6) How the supervising staff member documents the details of the alert and the CRT's response.
- a. Will every CRT member have a clip board with a *Restraint and Seclusion Reporting Form* attached that they take with them when 'called' to respond?
 - b. Will every classroom have a *Restraint and Seclusion Reporting Form* that the supervising staff member merely locates and uses to document the details of the incident?
- (7) The name or role of the individual(s) responsible for completing the *Restraint and Seclusion Reporting Form* and that the *Form* must be provided to the Principal for processing.
- (8) How the principal will monitor overall compliance with the reporting and distribution of the *Restraint and Seclusion Reporting Form* and reporting to the family(ies) if necessary.
- a. How will staff complete the *Restraint and Seclusion Reporting Form* when there is no need to elicit the help of the CRT (i.e., when Time Out is used)?
 - b. How will the principal ensure that even if the event does not reach the threshold to mandate reporting s/he receives a copy of the *Restraint and Seclusion Reporting Form* and provides such report to the Behavior Consultant²?
 - c. How will the principal ensure that whenever Restraint or Seclusion is used a copy of the *Restraint and Seclusion Reporting Form* is sent to the Assistant Superintendent for Curriculum?
- (9) How the CRT will debrief with the building principal and review the effectiveness of the CRT's response.

² The Behavior Consultant will monitor the reporting for each building and meet with the building principal whenever any student has more than two instances of restraint or seclusion or whenever any teacher's classroom has more than three incidents of restraint or seclusion in any consecutive three (3) instructional week period.