

The School Board believes that maintaining an orderly, safe environment is conducive to learning and is an appropriate expectation of all school employees within the school corporation. The Board recognizes that there are times when it becomes necessary for employees to use reasonable restraint and/or isolated time out to protect a student from causing harm to themselves or to others.

Seclusion and physical restraint as defined in this policy shall be used only as means of maintaining a safe and orderly environment for learning and only to the extent necessary to preserve the safety of students and others. Use of seclusion or physical restraint may also be a component of a behavioral intervention plan (BIP) and/or an individualized education program (IEP). If such is the case, the terms of the BIP or the IEP will determine the use of these measures.

Neither seclusion nor physical restraint shall be used as a form of punishment or as a disciplinary measure.

An appropriate training program regarding the use of seclusion and physical restraint must include behavioral support, prevention, de-escalation and crisis response techniques. The Corporation will determine the most appropriate training program for staff.

Except in the case of an emergency, only school employees who are current in the corporation-designated training program may implement seclusion or physical restraints with a student. An individual who applies physical restraint shall only utilize techniques in which he or she has received such training provided by the Corporation, as indicated by written evidence of participation.

In the case of an emergency, seclusion and/or physical restraints should be used only when a student's behavior poses an imminent threat of serious physical harm to the student or to other persons present or damage to school property.

Seclusion

"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 individualized education program, in which an adult is continuously present in the room with the student.

Seclusion **shall only be:**

1. Used when a student is displaying physical behavior that presents substantial imminent risk 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.
2. Employed as a last resort after other methods of de-escalating a dangerous situation have been attempted.
3. Used as long as necessary and shall be discontinued when the student is no longer an imminent threat to others.
4. Employed by staff members who have received specific training from the Corporation.
5. When trained staff members using appropriate techniques identified by the Corporation can safely transport the student to the seclusion environment.

All seclusion environments shall:

- a. Be of reasonable size to accommodate the student and at least one adult.
- b. Be of reasonable size to permit students to lie or sit down.
- c. Have adequate ventilation including heat and air conditioning as appropriate.
- d. Have adequate lighting.
- e. Be free of any potential or predictable safety hazards such as electrical outlets, equipment, and breakable glass.
- f. Permit direct continuous visual and auditory monitoring of the student.
- g. Permit automatic release of any locking device if fire or other emergency in the school exists.
- h. If locked, shall be automatically released after five minutes or with any building wide alarm (such as fire, tornado or lockdown).
- i. Shall meet current fire and safety codes.

Any device that requires the use of a key or special code on any exit from the time out room or enclosure is prohibited.

An adult must supervise the student while secluded and must be able to see the student at all times.

A student shall not be kept in a secluded setting for more than 30 minutes after he or she ceases presenting the specific behavior for which secluding him or her was imposed or any other behavior for which seclusion was deemed an appropriate intervention. Seclusion increments should be based on age of the student and ability to understand the seclusion procedures. Seclusion extensions (time beyond 30 minutes) requires approval by the Building Administrator or his/her designee.

If a student is secluded pursuant to a BIP or IEP, any time limitations identified in the BIP or IEP will determine the timeframe.

Physical Restraint

“Physical restraint” is 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 the 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.

Use of Restraint:

1. Shall only be utilized when a student is displaying physical behavior that presents substantial imminent risk of injury to the student or others.
2. Shall only be employed as a last resort after other methods of de-escalating a dangerous situation have been attempted without success.
3. Shall only be employed by staff members who have received training by the Corporation in the use of restraint procedures with the following exceptions:
 - a. Other school personnel may employ restraint procedures only in rare and clearly unavoidable emergency circumstances when fully trained school personnel are not immediately available. Untrained staff shall request assistance from trained staff as soon as possible.
 - b. Restraint of a student shall be conducted in a manner consistent with the techniques in the training provided by the Corporation.
4. Shall last only as long as is necessary for the student to regain behavioral stability, and the risk of injury has ended. This usually can take place in a matter of minutes.
5. 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 risk(s) for injury to the student.
6. If physical restraint is imposed upon a student whose primary mode of communication is sign language, the student shall be permitted to have his or her hands free of restraint for brief periods, unless the supervising employee determines that such freedom appears likely to result in harm to the student or to others.
7. In determining whether a student who is being physically restrained should be removed from the area where such restraint was initiated, the supervising employee shall consider the potential for injury to the student, the educational and emotional well-being of other students in the vicinity, and if applicable, any requirements pursuant to a BIP or an IEP.
8. Mechanical or chemical restraints are not authorized.
9. Prone or Supine forms of restraint are not authorized.
10. Seclusion or restraint shall not be used in a manner that restricts a child’s breathing or harms the child.

11. 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.

Students shall not be subjected to physical restraint for using profanity or other verbal displays of disrespect for themselves or others.

A verbal threat shall not be considered as constituting a physical danger unless a student also demonstrates a means of or intent to carry out the threat.

Reporting and Reviewing of Incidents of Seclusion and/or Physical Restraint

Any school employee using seclusion and/or physical restraint shall report such to the building principal, their supervisor, or other designated administrator. A written report of each incident shall be completed by the employee who used such techniques or by the designated administrator.

An attempt to notify the parent or guardian of the use of the seclusion and/or physical restraint must take place within the same school day of the incident by the Building Administrator or his/her designee. Parent or Guardian receipt of notification must occur within 24 hours of the incident. Additionally, the Restraint and Seclusion Program Coordinator must receive a copy of the completed incident report within 24 hours of the incident.

An annual review of the use of seclusion and physical restraint procedures, including a review of all individual corporation cases involving the use of seclusion and physical restraint, shall be completed and documented by the Restraint and Seclusion Program Coordinator to ensure compliance with the Corporation's policy and procedures. The Restraint and Seclusion Program Coordinator is assigned by the Director of Exceptional Needs or his/her designee. The seclusion and restraint incidents shall be reported to the Indiana Department of Education and Indiana State Board of Education on a yearly basis, pursuant to 513 IAC 1-2-7(e) and Annual Performance Report requirements established by IC 20-20-8-3.

When reviewing individual cases, it is recommended that when a student has experienced three instances of seclusion or physical restraint, the school personnel who initiated, monitored, and/or supervised the incidents shall review the effectiveness of the procedure(s) used and prepare an individual behavior plan for the student that provides either for continued use of these interventions or for the use of other specified interventions. The plan shall be placed into the student's record. The review shall also consider the student's potential need for an alternative program or for a referral for a special education evaluation, if the student does not have an IEP.

Training Requirements for Physical Restraint

Only individuals who have received systematic annual training through the selected corporation-designated program, and who have obtained written evidence of successful participation in such training should apply physical restraint.

Training with respect to physical restraint should include but need not be limited to the following:

1. Appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior, and the use of alternatives to restraint;
2. A description and identification of dangerous behaviors on the part of students that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situation in order to determine whether the use of restraint is warranted, including compliance with any BIP or IEP requirement;
3. The simulated experience of administering and receiving a variety of physical restraint techniques, ranging from minimal physical involvement to very controlling interventions;
4. Instruction regarding the effects of physical restraint on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
5. Instruction regarding documentation and reporting requirements and investigation of injuries and complaints;
6. Demonstration by participants of proficiency in administering physical restraint.

Nothing in this policy should be construed to limit the rights and abilities of school employees to keep order and administer necessary discipline in their classrooms and on school grounds as set out in state law and school board policy.

All complaints regarding the use of seclusion and physical restraints will be investigated by the Restraint and Seclusion Program Coordinator according to the provisions of board policy on public complaints.

This policy establishes the minimum regulations of the Corporation's use of seclusion and physical restraint program and related procedures.

Legal Reference: 513 IAC-1, IC 20-20-40, IC 20-20-8-3

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