

HURON CITY SCHOOLS
POSITIVE BEHAVIOR INTERVENTIONS AND SUPPORT, AND RESTRAINT
SECLUSION POLICY

In as much as every student deserves to be treated with dignity, be free from abuse, and treated as a unique individual with individual needs, strengths, and circumstances, Huron City Schools is committed to the implementation of Positive Behavioral Intervention Supports (PBIS). Every effort should be made to prevent the need for the use of restraint and/or seclusion. The use of a non-aversive effective behavioral system, such as PBIS, shall be used to create a learning environment that promotes the use of evidence-based behavior interventions, thus enhancing academic and social behavioral outcomes for all students.

Student personnel who are appropriately trained to protect the care, welfare, dignity, and safety of students are permitted to physically restrain and/or seclude a student, when there is immediate risk of physical harm to the student and/or others, there is no other safe and effective intervention possible, and the physical restraint or seclusion is used in a manner that is age and developmentally appropriate. Nothing within this Policy shall limit a school employee from restraining a student in accordance with applicable statute/law.

Training in methods of PBIS and the use of restraint and seclusion will be provided to all student personnel determined appropriate by the Superintendent. Training will be in accordance with the State's Standards. Only school staff who are trained in permissible physical restraint and seclusion measures shall use such techniques.

Every use of restraint and seclusion shall be documented and reported in accordance with this policy.

This policy shall be made available to parents annually and shall be posted on the District website.

DEFINITIONS:

Aversive behavioral interventions means the intervention that is intended to induce pain or discomfort to a student for the purpose of eliminating or reducing maladaptive behaviors, including interventions such as: application of noxious, painful and/or intrusive stimuli, including any form of noxious, painful or intrusive spray, inhalant or tastes.

Chemical Restraint means a drug or medication used to control a student's behavior or restrict freedom of movement that is not:

- A. Prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional's authority under Ohio law, for

- the standard treatment of a student's medical or psychiatric condition;
and
- B. Administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional's authority under Ohio Law.

De-escalation techniques are strategically employed verbal or non-verbal interventions used to reduce the intensity of threatening behavior before a crisis situation occurs.

Functional Behavior Assessment is a collaborative problem-solving process that is used to describe the "function" or purpose that is served by a student's behavior. Understanding the "function" that an impeding behavior serves for the student assists directly in designing educational programs and developing behavior plans with a high likelihood of success.

Mechanical Restraint means

- A. Any method of restricting a student's freedom of movement, physical activity, or normal use of the student's body, using an appliance or device manufactured for this purpose; and
- B. Does not mean devices used by trained school personnel, or used by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed, including:
 - 1. Restraints for medical immobilization;
 - 2. Adaptive devices or mechanical supports used to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; of
 - 3. Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.

Parent means:

- A. Biological or adoptive parent;
- B. A guardian generally authorized to act as the child's parent, or authorized to make decisions for the child (but not the state if the child is a ward of the state);
- C. An individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare;
- D. A surrogate parent who has been appointed in accordance with rule 3301-50-05(E) of the Administrative Code; or
- E. Any person identified in a judicial decree or order as the parent of a child or the person with authority to make educational decisions on behalf of a child.

Physical escort means the temporary touching or holding of the hand, wrist, arm, shoulder, waist, hip, or back for the purpose of inducing a student to move to a safe location.

Physical Restraint means the use of physical contact that immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely. Such term does not include physical escort, mechanical restraint, or chemical restraint. Physical restraint does not include brief, but necessary physical contact for the following or similar purposes:

- To break up a fight;
- To knock a weapon away from a student's possession;
- To calm or comfort;
- To assist a student in completing a task/response if the student does not resist the contact; or
- To prevent an impulsive behavior that threatens the student's immediate safety (i.e., running in front of a moving vehicle).

Positive Behavior Interventions and Support means

- A. A school-wide systematic approach to embed evidence-based practices and data driven decision making to improve school climate and culture in order to achieve improved academic and social outcomes, and increase learning for all students, and
- B. Encompasses a wide range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors and teach appropriate behavior to students.

Positive Behavior Support Plan means the design, implementation, and evaluation of individual or group instructional and environmental modifications, including programs of behavioral instruction, to produce significant improvements in behavior through skill acquisition and the reduction of problematic behavior(s).

Prone Restraint means physical or mechanical restraint while the student is in the face down position.

Seclusion means the involuntary isolation of a student in a room, enclosure, or space from which the student is prevented from leaving by physical restraint or by a closed door or other physical barrier.

Student means a child or adult aged three to twenty-one enrolled in a school district.

Student personnel means teachers, principals, counselors, social workers, school resource officers, teacher's aides, educational aides, psychologists, or other school district staff who interact directly with students.

Timeout means a behavioral intervention in which a student, for a limited and specified time, is separated from the class within the classroom or in a non-locked setting for the purpose of self-regulating and controlling his or her own behavior. In a timeout, the student is not physically restrained or prevented from leaving the area by physical barriers.

POSITIVE BEHAVIOR INTERVENTIONS AND SUPPORTS

The PBIS prevention-oriented framework or approach applies to all student, all staff, and all settings.

PBIS shall include:

- A. School staff trained to identify conditions such as where, under what circumstances, with whom, and why specific inappropriate behavior may occur.
- B. Preventative assessments that include:
 - a. Review of existing data;
 - b. Interviews with parents, family members, students; and
 - c. Examination of previous and existing behavioral intervention plans.
- C. Development and implementation of preventative behavioral interventions, and the teaching of appropriate behavior, including:
 - a. Modification of environmental factors that escalate inappropriate behavior;
 - b. supporting the attainment of appropriate behavior; and,
 - c. use of verbal de-escalation to diffuse potentially violent dangerous behavior.

RESTRAINT

There are different types of restraint, as defined above, including physical restraint, prone restraint, mechanical restraint, and chemical restraint. The use of restraint other than physical restraint is prohibited.

Physical restraint may be used only when there is an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible. Physical restraint shall only be used in a manner that is age and developmentally appropriate and does not interfere with the student's ability to communicate in his/her primary language or mode of communication, and otherwise in accordance with this Policy and the Ohio Department of Education's corresponding policy.

Student personnel who have been trained in accordance with this Policy may use physical restraint when there is an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible, and only in a manner that is age and developmentally appropriate.

Additional requirements for the use of physical restraint:

If Student Personnel use physical restraint, they must:

- A. Continually observe the student in seclusion for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
- B. Use verbal strategies and research-based de-escalation techniques in an effort to help the student regain control as quickly as possible;
- C. Remove the student from seclusion when the immediate risk of physical harm to the student and/or others has dissipated;
- D. Conduct a debriefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and,
- E. Complete all required reports and document their observations of the student.

Physical restraint shall never be used as a punishment or to force compliance.

Prohibited Practices

The following practices are prohibited under all circumstances, including emergency safety situations:

- A. Prone restraint as defined in Executive order 2009-13S (which defines prone restraint to mean "all items or measures used to limit or control the movement or normal functioning of any portion, or all, of an individual's body while the individual is in a face-down position for an extended period of time");
- B. Physical restraint that restricts the airway of a student or obstructs the student's ability to breathe;
- C. Physical restraint that impacts the student's primary mode of communication;
- D. Restraint of preschool-aged children, except for holding a child for a short period of time, such as in a protective hug, so that the child may regain control
- E. Restraint that deprives the student of basic needs;
- F. Restraint that unduly risks serious harm or needless pain to the student, including physical restraint including the intentional, knowing, or reckless use of any of the following techniques:
 1. Using any method that is capable of causing loss of consciousness or harm to the neck or restricting/obstructing respiration in any way;
 2. Pinning down the student by placing knees to the torso, head and/or neck of the student;
 3. Using pressure points, pain compliance, or joint manipulation;
 4. Dragging or lifting the student by the hair or ear or by any type of mechanical restraint;

5. Using other students or untrained staff to assist with the hold or restraint; or
 6. Securing the student to another student or to a fixed object.
- G. Mechanical restraint (that does not include devices used by trained Student Personnel, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed);
 - H. Chemical restraint (which does not include medication administered as prescribed by a licensed physician);
 - I. Corporal punishment;
 - J. Child endangerment as defined in ORC 2919.22;
 - K. Aversive behavioral interventions; or,
 - L. Seclusion of students in a locked room.

SECLUSION

Seclusion may be used only when there is an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible. Seclusion shall only be used in a manner that is age and developmentally appropriate. Only student personnel who have been trained in accordance with this Policy to protect the care, welfare, dignity, and safety of the student may implement seclusion.

Requirements for a room or area used for seclusion:

- A room or area used for seclusion must provide for adequate space, lighting, ventilation, clear visibility, and the safety of the student.

-A room or area used for seclusion must not be locked or otherwise prevent the student from exiting the area should staff become incapacitated or leave the area.

Additional requirements for the use of seclusion:

If Student Personnel use seclusion, they must:

- A. Continually observe the student in seclusion for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
- B. Use verbal strategies and research-based de-escalation techniques in an effort to help the student regain control as quickly as possible;
- C. Remove the student from seclusion when the immediate risk of physical harm to the student and/or others has dissipated;
- D. Conduct a debriefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and,
- E. Complete all required reports and document their observations of the student.

Additional prohibited seclusion practices:

Seclusion shall never be used as a punishment or to force compliance.

Seclusion shall not be used:

- A. for the convenience of staff;
- B. as a substitute for an educational program;
- C. as a form of discipline/punishment;
- D. as a substitute for less restrictive alternatives;
- E. as a substitute for inadequate staffing;
- F. as a substitute for staff training in positive behavior supports and crisis prevention and intervention; or
- G. as a means to coerce, retaliate, or in a manner that endangers a student.

Seclusion of preschool-aged children is prohibited, except that a preschool-aged child may be secluded from his or her classmates, either in the classroom or in a safe, lighted, and well ventilated space, for an amount of time that is brief in duration and appropriate to the child's age and development, if the child is always in sight and hearing of a preschool staff member.

FUNCTIONAL BEHAVIORAL ASSESSMENT AND BEHAVIOR INTERVENTION PLAN

If a student repeatedly engages in dangerous behavior that leads to instances of restraint and/or seclusion, District Personnel shall conduct a functional behavioral assessment to identify the student's needs and more effective ways to address those needs. If necessary, a behavioral intervention plan should be developed that incorporates appropriate positive behavioral interventions.

TRAINING AND PROFESSIONAL DEVELOPMENT

The District shall provide training as follows:

- A. All Student Personnel, as defined in this Policy, shall be trained annually on the requirements of the Ohio Department of Education's Policy on Positive Behavior Interventions and Supports, and Restraint and Seclusion; Ohio Administrative Code 3301-51-15; and this Policy.
- B. The Superintendent, in consultation with each building's principal shall identify which District Personnel should receive additional training so that an adequate number of personnel in each building are trained in crisis management and de-escalation techniques, including the use of restraint and seclusion. District employees who receive such additional training must keep their training current in accordance with the requirements of the provider of the training.

- C. The Superintendent shall develop a plan to provide training to student personnel, as defined in this Policy, so that Positive Behavior Interventions and Supports are implemented on a District-wide basis.

Implementation of PBIS throughout the District may be a multi-year process in which training will take place over the course of several years.

Only individuals trained in accordance with this Policy in the appropriate use of restraint and seclusion may use such techniques.

REQUIRED DATA AND REPORTING

Each use of restraint or seclusion shall be:

- A. Documented in writing;
- B. Reported to the building administration immediately;
- C. Reported to the parent immediately; and,
- D. Documented in a written report.

Further, a copy of the written report shall be made available to the parent/guardian within twenty-four (24) hours of the documented use of restraint or seclusion. A copy of the report shall also be maintained in the student's file.

The reports on the documented use of restraint and seclusion are considered educational records and are subject to the Family Education Right to Privacy Act (FERPA), and District Personnel are prohibited from releasing any personally identifiable information to anyone other than the parent/guardian, in accordance with the requirements of FERPA.

The Superintendent shall develop a process for the collection of data regarding the use of restraint and/or seclusion and will report such annually to the Ohio Department of Education.

MONITORING AND COMPLAINT PROCEDURES

The Superintendent shall develop a monitoring procedure to ensure that this Policy is appropriately implemented and shall make the District's records concerning restraint and seclusion available to the staff of the Ohio Department of Education upon request.

Any parent/guardian of a child enrolled in school in the District may submit a written complaint to the Superintendent regarding an incident of restraint and/or seclusion. The Superintendent shall investigate each written complaint and respond, in writing, to the parent's complaint within thirty (30) days of receipt of the complaint.