Student Safety

It is the policy of the District to treat with dignity and respect all students, including students with disabilities who receive special education services. Any behavior management technique and/or discipline management practice must be implemented in such a way as to protect the health and safety of the student and others. No discipline management practice may be calculated to inflict injury, cause harm, demean, or deprive the student of basic human necessities.

Confinement

No student shall be confined in a locked box, locked closet, or other specially designed locked space as either a discipline management practice or a behavior management technique.

Seclusion

A District employee or volunteer or an independent contractor of the District may not place a student in seclusion. "Seclusion" means a behavior management technique in which a student is confined in a locked box, locked closet, or locked room that:

1. Is designed solely to seclude a person; and
2. Contains less than 50 square feet of space.

Restraint

A school employee, volunteer, or independent contractor may use restraint only in an emergency and with the following limitations:

1. Restraint shall be limited to the use of such reasonable force as is necessary to address the emergency.
2. Restraint shall be discontinued at the point at which the emergency no longer exists.
3. Restraint shall be implemented in such a way as to protect the health and safety of the student and others.
4. Restraint shall not deprive the student of basic human necessities.
5. Each restraint shall be documented and the parent shall be notified in accordance with the law.

"Restraint" means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of a student's body. Physical restraint means a personal restriction that immobilizes or reduces the ability of a student to move his or her torso, arms, legs, or head freely. Mechanical restraint refers to the use of any device or equipment to restrict a student's freedom of movement. The 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 provider.

"Emergency" means a situation in which a student's behavior poses a threat of:

1. Imminent, serious physical harm to the student or others; or

2. Imminent, serious property destruction.

"Imminent" means likely to occur immediately or without delay, leaving no reasonable opportunity to prevent serious physical harm through less restrictive interventions. Imminent does not include situations where there is time to safely use deescalation, redirection, or other less restrictive interventions.

Training

Training for school employees, volunteers, or independent contractors regarding the use of restraint shall be provided according to the following requirements.

A core team of personnel on each campus must be trained in the use of restraint, and the team must include a campus administrator or designee and any general or special education personnel likely to use restraint.

Personnel called upon to use restraint in an emergency and who have not received prior training must receive training within 30 school days following the use of restraint.

Training on use of restraint must include prevention and de-escalation techniques and provide alternatives to the use of restraint.

All trained personnel must receive instruction in current professionally accepted practices and standards regarding behavior management and the use of restraint.

Documentation

In a case in which restraint is used, school employees, volunteers, or independent contractors shall implement the following documentation requirements.

On the day restraint is utilized, the campus administrator or designee must be notified verbally or in writing regarding the use of restraint.

On the day restraint is utilized, a good faith effort must be made to verbally notify the parent regarding the use of restraint.

Written notification of the use of restraint must be placed in the mail or otherwise provided to the parent within one school day of the use of restraint.

Written documentation regarding the use of restraint must be placed in the student's special education eligibility folder in a timely manner so the information is available to the admission, review, and dismissal (ARD) committee when it considers the impact of the

student's behavior on the student's learning and/or the creation or revision of a behavioral intervention plan (BIP).

Written notification to the parent and documentation to the student's special education eligibility folder must include the following:

1. Name of the student;
2. Name of the staff member(s) administering the restraint;
3. Date of the restraint and the time the restraint began and ended;
4. Location of the restraint;
5. Nature of the restraint;
6. A description of the activity in which the student was engaged immediately preceding the use of restraint;
7. The behavior that prompted the restraint;
8. The efforts made to de-escalate the situation and alternatives to restraint that were attempted;
9. Observation of the student at the end of the restraint;
10. Information documenting parent contact and notification; and
11. If the student has a BIP, whether the BIP may need to be revised as a result of the behavior that led to the restraint and, if so, identification of the staff member responsible for scheduling an ARD committee meeting to discuss any potential revision; or
12. If the student does not have a BIP, information on the procedure for the student's parent to request an ARD committee meeting to discuss the possibility of conducting a functional behavioral assessment of the student and developing a BIP for the student.

The District shall report electronically to the Texas Education Agency, in accordance with standards provided by the commissioner of education’s rule, information relating to the use of restraint by a peace officer performing law enforcement duties on school property or during a school-sponsored or school-related activity.

Time-Out

A school employee, volunteer, or independent contractor may use time-out with the following limitations:

1. Physical force or threat of physical force shall not be used to place a student in time-out.

2. Time-out may only be used in conjunction with an array of positive behavior intervention strategies and techniques and must be included in the student's IEP and/or BIP if it is utilized on a recurrent basis to increase or decrease targeted behavior.

3. Use of time-out shall not be implemented in a fashion that precludes the ability of the student to be involved in and progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student's individualized education program (IEP).

~~3.~~4. The student's ARD committee must review, at least annually, the use, amount, and effectiveness of time-out as a behavioral intervention and consider whether revisions to the student's IEP, behavioral intervention plan, or positive behavior supports are necessary to reduce or eliminate the need for time-out.

"Time-out" means a behavior management technique in which, to provide a student with an opportunity to regain self-control, the student is separated from other students for a limited period in a setting:

1. That is not locked; and

2. From which the exit is not physically blocked by furniture, a closed door held shut from the outside, or another inanimate object.

Training

Training for school employees, volunteers, or independent contractors regarding the use of time-out shall be provided according to the following requirements.

General or special education personnel who implement time-out based on requirements established in a student's IEP and/or BIP shall be trained in the use of time-out.

Newly identified personnel called upon to implement time-out based on requirements established in a student's IEP and/or BIP shall receive training in the use of time-out within 30 school days of being assigned the responsibility for implementing time-out.

Training on the use of time-out shall be provided as part of a program that addresses a full continuum of positive behavioral intervention strategies, and shall address the impact of time-out on the ability of the student to be involved in and progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student's IEP.

All trained personnel must receive instruction in current professionally accepted practices and standards regarding behavior management and the use of time-out.

Documentation

Necessary documentation or data collection regarding the use of time-out, if any, must be addressed in the IEP or BIP. For students who have a BIP, the District must document each use of time-out prompted by a behavior specified in the BIP, including a description of the behavior that prompted the time-out. The ARD committee must use any collected data to judge the effectiveness of the intervention and provide a basis for making determinations regarding its continued use.