

[Draft] East Mountain High School:

Restraint and Seclusion Policy

East Mountain is committed to providing safe environments for all students. Crisis intervention techniques are intended to de-escalate a student and utilize restraint and/or seclusion as a last resort. There are times when it becomes necessary for staff to use reasonable restraint and/or seclusion to protect a student from harming himself/herself or to protect others from perceived or actual harm.

Persons employed by the district may, within the scope of their employment, including involvement in extracurricular and co-curricular activities, use and apply such amount of force for such period of time as is reasonable and necessary only if the following two conditions exist:

- the student's behavior presents an imminent danger of serious physical harm to the student or others; and
- less restrictive interventions appear insufficient to mitigate the imminent danger of serious physical harm

Before resorting to use of restraint or seclusion, a school must use de-escalation strategies and positive behavioral intervention supports to take steps to actively avoid the use of restraint and seclusion.

Restraint and Seclusion Techniques

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Documentation and Reporting Procedures

The school shall establish reporting and documentation procedures for school communication to parent(s)/guardian(s) to be followed when a restraint or seclusion technique has been used on a student. The procedures shall include the following provisions:

- a school employee shall provide the student's parent or guardian with written or oral notice on the same day that the incident occurred, unless circumstances prevent same-day notification. If the notice is not provided on the same day of the incident, notice shall be given within twenty-four hours after the incident
- within a reasonable time following the incident, a school employee shall provide the student's parent or guardian with written documentation that includes information about any persons, locations or activities that may have triggered the behavior, if known, and specific information about the behavior and its precursors, the type of restraint or seclusion technique used and the duration of its use
- strategies for successfully reintegrating a student who has been restrained or secluded back into the school or classroom environment

The school will report to the New Mexico Public Education Department , through the NMPED's data collection and reporting system, the following information at the end of each reporting period (40, 80, 120, and End of Year):

- all instances in which a restraint or seclusion technique is used;
- all instances in which law enforcement is summoned instead of using a restraint or seclusion technique;
- the names of the students and school personnel involved in an incident in which restraint or seclusion was used; and

- if a student was restrained, the type of restraint, including mechanical restraint or physical restraint, that was used.
- The names, professional license numbers, and positions of school personnel trained in de-escalation strategies, positive behavioral intervention supports, or other comparable behavior management techniques, the date of the training, and the source of training.

All of these reporting and documentation provisions apply even if non-trained personnel use restraint and seclusion techniques.

If law enforcement personnel are summoned in lieu of restraint and seclusion, the schools still are required to comply with the reporting, documentation, and review procedures.

School procedure for reasonable restraint and seclusion shall not be interpreted as addressing the conduct of law enforcement or first responders. Restraint devices, such as handcuffs and flex cuffs, may only be used by police officers and security staff trained and authorized by the Albuquerque Public Schools Police Department and/or Bernalillo County Sheriffs Department.

The school safety plan shall be developed by a team that includes at least one administrator, one educator, one special education expert, and may include a counselor or social worker, nurse, and school resource officer or security staff.

Designated, Trained School Personnel

School districts are required to develop and implement an annual training for designated school personnel regarding de-escalation strategies, positive behavioral intervention supports, or other comparable behavior management techniques and the use of restraint or seclusion techniques.

Designated school personnel shall attend training at least every two years or complete a certification course, exam, or other comparable demonstration of competency that provides evidence that the individual has up-to-date knowledge of proper restraint and seclusion techniques.

In the event that new designated school personnel are identified within the school after the provision of the training, certification course, exam, or other comparable demonstration of competency, the school district or charter school shall ensure that a training or other competency demonstration is provided to new designated school personnel within 60 days of being designated.

If an emergency exists that does not allow sufficient time to summon those trained, designated school personnel to respond to an imminent threat of serious bodily harm to a student or others, a school is allowed to respond to the emergency with other personnel. However, a school must ensure training for all school personnel as to this limited exception and have in place policies and procedures to ensure that school personnel have the support necessary to respond or not respond to the emergency as required by law.

Review of Incidents of Restraint or Seclusion

If a student has been restrained or secluded two or more times within 30 calendar days, the school shall review strategies used to address the student's behavior and determine whether the student needs a functional behavior assessment or referral to a student assistance team, behavioral intervention plan team, or – if a student has an IEP – a referral to the student's IEP team.

If a student has been restrained or secluded two or more times within 30 calendar days, the student's IEP team, behavioral intervention plan team, or student assistance team shall meet within two weeks of each subsequent use of restraint or seclusion to provide recommendations for avoiding future incidents requiring the use of restraint or seclusion.

The review shall include whether school personnel involved in the incidents were trained in the use of de-escalation strategies, positive behavioral intervention supports, or restraint and seclusion techniques. Additionally, the review shall consider whether the individual who restrained or secluded a student needs additional training.

Nothing in the Public School Code or rules precludes school staff from conducting reviews of student behaviors or convening the student's IEP team, behavioral intervention plan team, or student assistance team more frequently than required by the restraint and seclusion law and rules, if necessary.

Annual Review

Schools shall conduct an annual review and analysis of all incidents in which restraint or seclusion techniques were used, including the number of incidents, the type of incident, personnel involved, the need for additional training, and student demographics.

East Mountain shall provide assurances that it is in compliance with provisions of this procedural directive as required by the New Mexico Public Education Department.

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behavior, if known, and specific information about the behavior and its precursors, the type of restraint or seclusion technique used and the duration of its use

- strategies for successfully reintegrating a student who has been restrained or secluded back into the school or classroom environment

Schools shall report incidents of restraint and seclusion to the district in the appropriate data system.

The school will report to the New Mexico Public Education Department , through the NMPED's data collection and reporting system, the following information at the end of each reporting period (40, 80, 120, and End of Year):

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