



# Lake Pend Oreille School District #84

## Guidelines for Physical Restraint and Seclusion

### **Purpose**

The purpose of this document is to provide guidance for the use of physical restraint and seclusion in order to ensure uniformity across the Lake Pend Oreille School District and to preserve the rights and dignities of the students and staff. This document will present and describe the 15 essential principles for the district, school staff, parents, and other stakeholders to reference. At any time, staff, parents and/or stakeholders can request a meeting or documentation related to LPOSD guidelines to physical restraint and seclusion.

### **Background**

A study completed in 2009 found no Federal regulations governing the use of physical restraint and seclusion in public and private schools, and there was a wide variety of divergent State regulations. It was also determined that there were no reliable national data on when and how often restraint and seclusion were being used in schools, or on the extent of abuse resulting from the use of these practices in educational settings. As a result, in 2012 the Department of Education identified 15 principles that local school districts should consider as a framework in developing and implementing policies and procedures regarding the use of restraint and seclusion. From these 15 principles, LPOSD created district guidelines related to the use of physical restraint and seclusion.

**Physical restraint and seclusion should not occur in schools except when there is a threat of imminent danger of serious physical harm to the student or others, and occurs in a manner that protects the safety of all children and adults at school.**

### **Federal Definitions**

#### ***Physical Restraint:***

A personal restriction that immobilizes or reduces the ability of a student to move his or her own torso, arms, legs, or head freely. The term physical restraint does not include a physical escort. **Physical escort** is defined as a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk on their own with assistance to a safe location.

#### ***Mechanical Restraint:***

A mechanical restraint is the use of any device or equipment to restrict a student's freedom of movement. This term does not include devices implemented by trained school personnel, or



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utilized by a student that have been prescribed by an appropriate medical or related services professional, and are used for the specific and approved purposes for which such devices were designed, such as:

- Adaptive devices or mechanical supports for positioning, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports;
- Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle;
- Restraints for medical immobilization; or
- Orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

### **Seclusion:**

Seclusion is the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. It does not include a *timeout*, which is a behavior management technique that involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming and reducing disruptive behaviors.

## **LPOSD Guiding Principles**

- 1. Every effort will be made to prevent the need for the use of physical restraint or seclusion.**
  - Teach replacement behaviors.
  - In cases where a student has a history of dangerous behavior for which restraint or seclusion was considered or used, a school should have a plan for:
    - Teaching and supporting more appropriate behavior; and
    - Determining positive methods to prevent behavioral escalations that have previously resulted in the use of restraint or seclusion.
  - General Education Student: MTSS building teams should:
    - Develop a Behavior Contract template for general education use;
    - Identify interventions
    - Take data (focused/defined/measurable) for an appropriate period of time (at least 4-6 weeks) before saying 'it doesn't work'.
    - A referral for SPED evaluation may be considered once adequate interventions and data have been collected.
  - Student receiving Special Education: The IEP Team will:
    - Complete a Functional Behavior Assessment (FBA).
    - Create a Behavior Intervention Plan based on the findings of the FBA.
    - Maintain progress monitoring regarding interventions and student progress.



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2. **Mechanical or chemical restraints will *never* be used to restrict a student’s freedom of movement or to control behavior.**
  
3. **Physical restraint or seclusion will only be used in the following situations:**
  - a. **The student’s behavior poses imminent danger of serious physical harm to self or others, and**
  - b. **Other interventions are ineffective**
    - **Imminent danger** is defined by statute as “any conditions which are such that a danger exists which could reasonably be expected to cause death or serious physical harm.
    - **Serious physical harm** is defined by statute as “physical injury that creates a substantial risk of death; extreme physical pain; or that causes protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, mental faculty or organ.”
    - Physical restraint or seclusions should not be used as a response to inappropriate behaviors such as:
      - Disrespect;
      - Noncompliance;
      - Swearing;
      - Insubordination;
      - Out of seat; or
      - Defiance.
  
4. **Policies restricting the use of restraint and seclusion will apply to all students, not just those with disabilities.**
  
5. **Any behavioral intervention must be consistent with the student’s rights to be treated with dignity and to be free from abuse.**
  
6. **Physical restraint or seclusion will never be used:**
  - as a form of punishment or discipline (e.g., for out-of-seat behavior);
  - as a means of coercion or retaliation, or as a convenience for staff;
  - as a planned behavioral intervention in response to behavior that does not pose an imminent danger of serious physical harm to self or others; or
  - in a manner that endangers the child



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- 7. Physical restraint or seclusion will never restrict a student's breathing or harm the student.**
- 8. Behavioral strategies will be reviewed and revised to reduce/eliminate the need for the use of restraint and seclusion. If positive behavioral strategies are not in place, staff should develop them.**
  - Teach and support more appropriate behavior, and
  - Determine positive methods to prevent behavioral escalations.
- 9. Behavioral strategies to address patterns of dangerous behavior that results in the use of physical restraint or seclusion should address the underlying cause or purpose of the dangerous behavior through a Functional Behavioral Assessment and a Behavior Intervention Plan.**
  - Contact Director of Special Education to consider the process for an FBA/BIP for a student
- 10. Teachers and other personnel should be regularly trained:**
  - Staff who have direct interaction with students should be regularly trained on the use of positive behavioral interventions and supports.
  - Designated district staff will be trained on the safe use of physical restraint and seclusion in cases involving imminent danger of serious physical harm. Designated staff are trained in Crisis Prevention Intervention (CPI). District holds quarterly trainings for those who need to be initially trained or require recertification.
- 11. Students requiring the use of physical restraint or seclusion will be carefully and continuously visually monitored to ensure the appropriateness of its use and safety of the student and others.**
  - Only school personnel who have received the required training on the use of district- approved method of physical restraint and seclusion will be engaged in this process.
- 12. Staff will document that parent/guardian are notified on the same day following each instance in which physical restraint or seclusion is used with their student.**
- 13. Each physical restraint or seclusion incident will be documented through the completion of the "LPOSD Incident Report of Physical Restraint or Seclusion" Google form.**



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- 14. If an incident of physical restraint or seclusion occur, a debriefing with the school team should take place as soon as possible to consider the event, particularly if there was a possibility to avoid the physical restraint or seclusion.**
  
- 15. Policies regarding the use of physical restraint and seclusion will be reviewed and revised as necessary by the district administrators using appropriate data.**