



APPROVAL OF RESTRAINT AND SECLUSION CORRECTIVE ACTION PLAN

SITUATION:

The Oregon Department of Education issued a Final Order on March 11, 2015 in response to a complaint filed regarding the use of restraint and seclusion in public schools. The Oregon Department of Education identified the following findings based on their investigation:

- The District did not meet the standards established by OAR 581-021-0553(2)(c)(B) for ensuring that restraint and seclusion would only be administered by trained staff except in the case of emergency circumstances.
- The District did not meet the standards established by OAR 581-021-0556(2)(a) for providing the parent or guardian with verbal or electronic notification of the incident by the end of the school day when the incident occurred.
- The District did not meet the standards established by OAR 581-021-0556(3) for providing notification to the parent or guardian that restraint or seclusion was administered by untrained staff.

The District was ordered to submit a Corrective Action Plan to the Oregon Department of Education that is approved by the School Board.

RECOMMENDATION:

(15- 538) BE IT RESOLVED that the School Board approve the Restraint and Seclusion Corrective Action Plan.

District Goal: All students will show continuous progress toward their personal learning goals, developed in collaboration with teachers and parents, and will be prepared for post-secondary education and career success.

The Beaverton School District recognizes the diversity and worth of all individuals and groups. It is the policy of the Beaverton School District that there will be no discrimination or harassment of individuals or groups based on race, color, religion, gender, sexual orientation, gender identity, gender expression, national origin, marital status, age, veterans' status, genetic information or disability in any educational programs, activities or employment.

OREGON DEPARTMENT OF EDUCATION - RESTRAINT AND SECLUSION FINAL ORDER

ISSUED ON MARCH 11, 2015

BEAVERTON SCHOOL DISTRICT - CORRECTIVE ACTION PLAN

The document constitutes the Beaverton School District's (District) Corrective Action Plan as required by the Restraint and Seclusion Final Order Issued by the Oregon Department of Education (Department) on March 11, 2015. The Department's Final Order stated the District's Corrective Action Plan needed to address the following questions:

- 1. What is the District's policy for determining which school personnel are to be trained on restraint and seclusion and what is the plan to ensure all relevant staff receive appropriate training?**

In the Beaverton School District (District) all teachers who work with special education students in special classrooms are required to have restraint and seclusion training. In addition, special education resource teachers receive this training when it is needed based on a student's IEP or behavior plan.

Instructional assistants (IAs) working in special education special classes and when necessary in a resource room also receive restraint and seclusion training. During the 2014-2015 school year, the District reclassified the instructional assistant position for assistants who work in special education special classroom. They are now called "Special Education Program Assistants" (SEPAs). The job description now includes the requirement that SEPAs must be OIS trained within 60 days of employment. During the 60 day period, an untrained SEPA is paired with a trained SEPA. The District's Special Education Department provides substitute IAs so SEPA's can attend this training.

The District's approved behavior management program is the Oregon Intervention System (OIS). The District offers monthly OIS (write this out) trainings and four trainings during the summer. These trainings are open to District administrators and counselors.

- 2. What is the District's plan to ensure certifications are renewed without a lapse period?**

The District maintains a database of OIS trained personnel. Staff are sent an email 60 days before the expiration date of the employee's OIS training. Because trainings are offered every month, staff have two opportunities for the training. The email includes information on the expiration date, a list of upcoming training dates, and instructions on how to register for the course. The building principal and secretary are included on this email.

- 3. What is the District's plan to ensure that parents or guardians receive appropriate verbal or electronic notification within 24 hours of an incident involving restraint or seclusion? ¹**

¹ This question mischaracterizes the findings in the Final Order. The Department found the District failed on one occasion to give the parent verbal or electronic notification of the incident by the end of the school day when the

The District provides annual training for administrators and special education staff which addresses the District's obligation to give the parent verbal or electronic notification by the end of the school day.

4. What is the District's plan to ensure that parents or guardians receive appropriate notification in the event an untrained staff person administers a restraint or seclusion?

As noted in Department's Final Order, the District's form letter that notified the parent and Superintendent that an untrained staff member used a restraint or seclusion on a student was corrected in February 2014. The form letter is now addressed to the parent and cc'd to the Superintendent. As a result of this correction, the Department's Final Order (p.4) stated it had evidence that the District was in compliance with this requirement as of February 2014.

In addition, the District provides annual training for administrators and special education staff regarding the obligation of the District to notify parents and the District's Superintendent that a restraint or seclusion was administered by untrained staff. The District's OIS database is shared with building secretaries so they can determine if a staff member has been OIS trained. Starting with the 2015-2016 school year, all special education staff will have access to the OIS training database so they can also determine which staff have been OIS trained.

In addition, the District is currently working with the Northwest Regional Education Service District to develop an electronic restraint and seclusion system for reporting incidents which will be implemented in the 2015-2016 school year. This system will automatically populate the letter informing the parent and Superintendent that a restraint or seclusion was administered by untrained staff.

5. How will the District demonstrate to ODE that the District will begin the 2015-2016 school year in compliance with OAR 581-021-0553(2)(c)(B) (trained staff) and OAR 581-021-0556(3) (notice to parent and superintendent)?

The District's annual restraint and seclusion training will be held in late August 2015. At this training the District will discuss the requirement that staff implementing restraints and seclusions must receive OIS training. The District will review which staff must be OIS trained and the training schedule. It will also advise the special education staff that SEPAs must be trained within 60 days of employment and how that can be accomplished.

As noted above, the District's form letter for notifying parents that a restraint or seclusion was administered by untrained staff was corrected in February 2014. In addition, the August 2014 training will address the requirement that the parent and Superintendent be notified when a restraint or seclusion has been administered by untrained staff.

The District will inform ODE in writing that the August 2015 training did occur and did address all requirements noted in Section 5 of this Corrective Action Plan.

This Corrective Action Plan was approved by the Beaverton School District's School Board on _____, 2015.

incident occurred. The Department found no deficiency regarding written documentation provided to the parent within 24 hours of the incident.

Please contact Connie Bull, the District's Special Education Legal Counsel, at 503-591-4380 if you have any questions about the District's Corrective Action Plan.

Respectfully,



Danielle Sheldrake, Ed.D.
Executive Administrator of Student Service
Beaverton School District

May 5, 2015
Date