

Policy 5150 Administrative Guideline  
“Restraint and Seclusion”  
Adopted: February 1, 2024

# BROWN COUNTY SCHOOLS

## RESTRAINT AND SECLUSION PLAN



Effective: February 1, 2024

# **Brown County Schools Restraint and Seclusion Plan**

## Section 513 Indiana Administrative Code 1-2-11

The purpose of Brown County Schools Restraint and Seclusion plan is to ensure that all students and staff are safe in school, and that students who may have behavior crises are free from inappropriate use of seclusion or restraint. However, Brown County Schools recognizes that at times it may become necessary for staff to use reasonable restraint or seclusion when other interventions are ineffective and there is an imminent risk of injury.

Behavioral interventions for students must ensure the right of all students to be treated with dignity and respect. Brown County Schools believes that all students have the right to be free from physical or mental abuse, aversive behavioral interventions that compromise health and safety, and any physical restraint or seclusion imposed solely for purposes of discipline or convenience.

A supportive school environment can greatly reduce, and in many cases eliminate, the need for restraint or seclusion. All staff will use prevention, positive behavior intervention and support, and conflict de-escalation strategies to eliminate or minimize the need for use of restraint or seclusion. School staff should promote and teach students appropriate behavior and should model appropriate behavior with their own conduct.

This Restraint and Seclusion Plan applies to all staff and to all students, not only students with disabilities. Any behavioral intervention, including any physical restraint or seclusion, must be consistent with any applicable behavioral intervention plan (BIP), or individualized education program (IEP), as well as with this Plan.

### **I. Use of Restraint**

- A. Physical restraint shall only be used when a student is displaying physical behavior that presents substantial imminent risk of injury to the student or others.
- B. Physical restraint shall only be employed as a last resort after other methods of positive behavior supports, prevention and de-escalating a dangerous situation have been attempted without success.
- C. Except in unavoidable emergency situations when trained staff are not available, restraint shall only be employed by staff members who have received crisis intervention training by the school in the safe use of restraint procedures. Untrained staff shall request assistance from trained staff as soon as possible.
- D. Physical restraint shall last only as long as is necessary for the student to regain behavioral stability and the risk of injury to the student or others has ended, usually a matter of minutes or less. Restraint should never last longer than the imminent risk of harm to oneself or others.
- E. The least restrictive alternative employed must be in proportion to the circumstances of

the incident, the size and condition of the student, and the potential risks for injury to the student or others.

- F. Mechanical or chemical restraints are not authorized to be used by any school personnel.
  - Mechanical devices, materials, or equipment authorized by a licensed physician or other qualified health-care professional (such as a physical or occupational therapist) are not “mechanical restraints” under this Plan, and *may be used by staff trained in their safe use.*
  - Transportation safety restraints are also not “mechanical restraints” subject to this Plan.
- G. Every instance in which physical restraint is used shall be carefully, continuously and visually monitored to ensure the appropriateness of its use and safety of the child, other children, teachers, and other personnel.

## **II. When Restraint Procedures Shall Not Be Employed**

- A. Physical restraint shall not be used unless there is imminent risk of injury to themselves or others by the student.
- B. A verbal threat or verbally aggressive behavior does not itself indicate an imminent risk of injury, and shall not result in physical restraint.
- C. Destruction or damage to property does not constitute a risk of imminent injury unless in so doing a risk of injury to the student or others is created.
- D. Physical restraint shall never be used as a punishment or to force compliance with staff commands.
- E. When known medical or physical condition of the student would make physical restraint dangerous for that, physical restraint shall not be used.
- F. Physical restraint shall never be used in a manner that restricts the child’s breathing or intentionally harms the child.

## **III. Use of Seclusion**

- A. Seclusion shall only be used when a student is displaying physical behavior that is an imminent risk to the student or others, and the threat could be diminished if the student was in a safe environment away from other students and staff.
- B. Seclusion shall only be employed as a last resort when other less restrictive interventions are ineffective.
- C. Seclusion shall only be used as long as necessary and shall be discontinued when the student is no longer an imminent threat to themselves or others.

- D. Seclusion shall only be employed by staff members who have received specific Brown County Schools approved crisis intervention training in the use of safe seclusion procedures.
- E. Seclusion must be used only when the student can safely be transported to the seclusion environment by trained staff members using appropriate techniques based on crisis intervention training.
- F. A staff member must carefully and continually monitor every instance of seclusion to ensure the safety of the student and others.
- G. All seclusion environments shall be inspected to ensure they:
  - 1. Are of reasonable size to accommodate the student and at least one adult.
  - 2. Are of reasonable size to permit students to lie or sit down.
  - 3. Have adequate ventilation including heat and air conditioning as appropriate.
  - 4. Have adequate lighting.
  - 5. Are free of any potential or predictable safety hazards such as electrical outlets, equipment, and breakable glass.
  - 6. Permit direct continuous visual and auditory monitoring of the student.
  - 7. Shall meet current fire and safety codes.

#### **IV. When Seclusion Procedures Shall Not Be Employed**

- A. When the substantial imminent risk of injury no longer exists.
- B. When known medical or physical condition of the student would make the seclusion procedures dangerous for that student.
- C. Seclusion shall never be used unless a staff member can continuously monitor the student for visual or auditory signs of physiological distress, and can communicate with the student.
- D. Seclusion shall never be used as a punishment or to force compliance with staff commands.

#### **V. Time-Out**

A Time-out in which a student is not alone or is not physically prevented from leaving is not a seclusion under this Plan. Time-out is a behavior reduction procedure in which access to reinforcement is withdrawn for a certain period of time. Time-out occurs when the ability of

a student to receive normal reinforcement in the school environment is restricted. Time-out shall be both developmentally and behaviorally appropriate and shall be short in duration.

## **VI. Training**

- A. All appropriate staff, volunteers, contractors, and others who have regular direct contact with students on will be provided with training, as appropriate for their individual roles, on:
  - 1. Effective alternatives to restraint and seclusion including: conflict de-escalation techniques, and positive supports and behavioral intervention techniques;
  - 2. Steps to avoid the use of seclusion or restraint;
  - 3. The safe use of seclusion and restraint only in accordance with this plan;
  - 4. Debriefing practices and procedures.

*Documentation of training shall be kept that includes; the name and position of those trained, who provided the training, when the training was completed, and a short description of the training.*

- B. This training will be recurrent and will be provided to required new staff.
- C. The Brown County School Corporation will determine a specific curriculum and method of providing training related to restraint or seclusion.
- D. A safe crisis support team of appropriate personnel will be trained in each building in crisis intervention techniques, which will include the use of restraint and seclusion procedures.
- E. Training will be provided on a regular basis at least annually. In addition to annual training, monthly practice opportunities are provided across the district.
- F. Brown County Schools will continually promote positive behavior supports, prevention and de-escalation strategies.

## **VII. Reporting, Documentation and Debriefing Requirements**

- A. Any behavioral intervention used shall remain consistent with individual student documents including behavior intervention plans, IEPs, 504s, health plans, etc. (if applicable).
- B. Immediately after the student has restored emotional and behavioral control following the use of restraint and/or seclusion, a staff member not involved with the incident shall examine the student to ascertain if any injury has been sustained during the restraint or seclusion.

- C. The building administrator or designee will attempt to verbally notify the parent/guardians as soon as possible (no later than the end of the school day in which the restraint or seclusion occurs) regarding the instance of the restraint or seclusion.
  - 1. The Principal or designee will update the parent/guardian on the student's current physical and emotional state; and,
  - 2. Will discuss strategies to assist the parent/guardian in dealing with any residual effects of the incident.

## **VIII. Incident Report**

- A. Each staff member involved in the use of seclusion or restraint will complete a documentation form as soon as practical, no later than the end of the work day, after the use of seclusion or restraint.
- B. The building administrator or designee will send a copy of the written report to the parent or guardian documenting the use of restraint or seclusion, and will place a copy of the report in the student's confidential file.
- C. A copy of the documentation form shall also be sent to the Executive Director of Special Populations.
- D. A minimum of the following will be included in the incident report created after each instance of restraint or the use of seclusion:
  - 1. The student's name;
  - 2. The date and time of the incident;
  - 3. The duration of any restraint or seclusion; or the beginning and ending times of the restraint and/or seclusion;
  - 4. A description of any relevant events leading up to the incident;
  - 5. A description of non-physical interventions used prior to the implementation of restraint or seclusion, including whether the student's behavior intervention plans, IEPs, 504s, health plans, etc. was followed first;
  - 6. A statement of the imminent risk of harm to oneself or others that lead to the decision to employ restraint or seclusion.
  - 7. A narrative of the student's behavior during restraint or seclusion, including a description of the restraint technique(s) used and any other interaction between the student and staff;
  - 8. A description of any injuries (to students, staff, or others);
  - 9. A list of the school personnel who participated in the implementation, monitoring,

and supervision of restraint or seclusion and whether they had training related to restraint or seclusion;

10. The date and time on which the parent or guardian was notified;

- E. Further, it is expected that each staff member involved in an incident will engage in a debriefing session(s) in order to determine what could have been done to prevent the future need for use of restraint or seclusion for this student specifically and for other students in similar situations. The student, with assistance from the staff, will debrief the event at the earliest appropriate time when all parties involved are calm and regulated.

## **IX. Annual Review, Planning Process and Oversight**

- A. A Brown County School administrator (or designee) will be designated as the coordinator of data, planning and oversight of the use of restraint or seclusion procedures in Brown County Schools.
- B. Brown County Schools shall establish a Committee or use a standing committee to conduct an annual review of all individual and program-wide data associated with this policy. The Committee shall review the following components related to the use of restraint:
1. incident reports;
  2. procedures used during restraint, including the proper administration of specific Brown County School Corporation approved restraint techniques;
  3. preventative measures or alternatives tried, techniques or accommodations used to avoid or eliminate the need of the future use of restraint;
  4. documentation and follow up of procedural adjustments made to eliminate the need for future use of restraint;
  5. injuries incurred during a restraint;
  6. notification procedures;
  7. staff training needs;
  8. specific patterns related to staff or student incidents;
  9. Environmental considerations, including physical space, student seating arrangements, and noise levels.
- C. Upon review of the data, the Committee shall identify any issues and/or practices that require further attention and provide written recommendations to the Director of Special Populations.

- D. The Committee can recommend review of the training program to ensure the most current knowledge and techniques are reflected in the Brown County School Corporation training curriculum.
- E. The location of this restraint and seclusion plan will be included in the student handbook for each school.

**X. Emergencies, Law Enforcement, and Use of Physical Force with Non-Students**

Nothing in this Plan prevents a school employee from stopping a physical altercation, acting to prevent physical harm to a student or another individual, or acting to address an emergency until the emergency is over, whether or not the school employee has received formal training on the use of restraint or seclusion. If a staff member's emergency use of physical force constitutes "restraint" or "seclusion" under this Plan, the notification, reporting, and debriefing requirements of the Plan should be followed.



## Appendix & Definitions

**Behavioral Intervention Plan (BIP):** This plan is generally agreed upon by the Case Conference Committee (CCC) and incorporated into a student's Individualized Education Program (IEP) and at a minimum, describes the following, though there are students who do not have an IEP who have a BIP:

- A. The pattern of behavior that impedes the student's learning or the learning of others.
- B. The purpose or function of the behavior as identified in a functional behavioral assessment.
- C. The positive interventions and supports, and other strategies, to:
  - 1. address the behavior; and
  - 2. maximize consistency of implementation across people and settings in which the student is involved.
  - 3. teach and reinforce use of an appropriate and function-based replacement behavior.
- D. If applicable, the skills that will be taught and monitored in an effort to change a specific pattern of behavior of the student.

**Chemical Restraint:** The administration of a drug or medication to manage a student's behavior or restrict a student's freedom of movement that is not a standard treatment and dosage for the student's medical or psychiatric condition.

**Crisis Intervention Training:** Training provided to appropriate staff members, which addresses prevention, de-escalation, and after incident procedures, as well as, how to deal with aggressive, violent or out of control behaviors. It includes specific techniques for restraint and seclusion and could result in certification of the individuals who complete the training.

**De-Escalation:** Staff/adult behaviors/response that result in a situation to become more controlled, calm and less dangerous, thus lessening the risk for injury to someone.

**Employee/Staff:** For the purposes of this Plan, all paid school staff, volunteers, contract employees, consultants or any other agents of the school or corporation.

**Functional Behavioral Assessment (FBA):** Evaluation process of gathering information that can be used to hypothesize about the function of student behavior. The analysis provides the information necessary to develop a behavior intervention plan.

**Imminent:** Likely to happen right away; often within a matter of minutes.

**Mechanical Restraint:** The use of (1) a mechanical device (2) a material or (3) equipment attached or adjacent to a student's body that the student cannot remove and that restricts the freedom of movement of all or part of the student's body or restricts normal access to the student's body. The term does not include (1) mechanical devices, (2) a material or (3)

equipment used as prescribed by a doctor. The term also *does not include* a bus harness or other safety equipment that is used to safely restrain a student during transport.

**Physical Restraint:** Physical contact between a school employee and a student in which the student unwillingly participates and that involves the use of a manual hold to restrict freedom of movement of all or part of a student's body or to restrict normal access to the student's body. The term does not include (1) briefly holding a student without undue force in order to calm or comfort the student, or to prevent unsafe behavior, such as running into traffic or engaging in a physical altercation, (2) physical escort, (3) physical contact intended to gently assist or prompt a student in performing a task or to guide or assist a student from one area to another; or (4) the use of a bus harness or other safety equipment that is used to safely restrain a student during transport.

**Prevention and Conflict De-Escalation Training:** Training which is provided broadly to school staff on how to prevent, defuse and de-escalate potential behavioral crisis situations.

**Positive Behavior Intervention and Support:** A systematic approach that uses evidence-based practices and data driven decision making to improve school climate and culture, and includes a range of systematic and individualized strategies to reinforce desired behavior and diminish recurrence of problem behavior to achieve improved academic and social outcomes and increase learning for all students.

**Seclusion:** The confinement of a student *alone* in a room or area from which the student *physically is prevented from leaving*. The term does not include a supervised time-out or scheduled break, as described in a student's Individualized Education Program, in which an adult is continuously present in the room with the student.

**Time-Out:** A “time-out” in which a student is *not alone* or is *not physically prevented from leaving* is not “seclusion” under this Plan. A behavior reduction procedure in which access to reinforcement is withdrawn for a certain period of time. Time-out occurs when the ability of a student to receive normal reinforcement in the school environment is restricted. Time-out shall be both developmentally and behaviorally appropriate and shall be short in duration.

**Substantial Risk:** Situation where there is serious, imminent threat of bodily harm and where there is the immediate ability to enact such harm.

**Staff Trained in Crisis Intervention:** Individuals who successfully complete and maintain certification in a training program that results in acquisition of skills to prevent restraints or seclusion, evaluate risk of harm in an individual situation, use approved restraint techniques and monitor the effect of the restraint or seclusion. Learn effective alternatives to restraint and seclusion including: conflict de-escalation techniques, positive supports, and behavioral interventions techniques. Add statement about techniques related to seclusion.

**Parent or Guardian:** Student's parent, legal guardian, surrogate parent or student over the age of 18.