

Wood County Board of Developmental Disabilities

PROCEDURE

Procedure #: 02-WLS-ALL-0906 (AD) **Subject:** Restraint and Seclusion
Effective Date: 08-02-2022 **Last Revision:**

Person Responsible: Director of Children's Services

Approvals/Date: Brent Chan 8/2/22 Josaine Flick 08.02.22
Superintendent, WCBDD Date Department Director Date

I. Rationale and Philosophy:

Every effort should be made to prevent the use of restraint. A non-aversive effective behavioral system such as Positive Behavioral Intervention and Supports (PBIS) shall be used to create a learning environment that promotes the use of evidence-based behavioral interventions, thus enhancing academic and social behavioral outcomes for all students. Wood County Board of Developmental Disabilities, specifically Wood Lane School believes that the school environment should be one that ensures the care, safety, and welfare of all students and staff members. Efforts to promote positive interactions and solutions to potential conflict should be exhaustive. If an individual's behavior presents a threat of imminent harm to self or others the use of approved physical intervention strategies to maintain a safe environment may be used as a last resort.

The intent of behavioral intervention at Wood Lane School is instructional. PBIS is a framework that guides districts and schools in developing policies and practices that proactively define, teach and support appropriate behavior. PBIS suggests a shift in thinking about behavior and discipline. Rather than telling students what NOT to do, emphasis is placed on teaching students what TO do. Schools implementing PBIS actively teach behavioral expectations across all environments, promote positive behavior through encouragement and reinforcement, and provide correction of inappropriate behavior through prompting, re-teaching and opportunities to correct behavior.

Definitions:

a. **Positive Behavior Interventions and Support-**

- i. A school-wide systematic approach to embed evidence-based practices and data driven decision making to improve school climate and culture to achieve improved academic and social outcomes, and increase learning for all students, and
- ii. Encompasses a wide range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors and teach appropriate behavior to students.

b. **Physical Restraint-**

- i. The use of physical contact that immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely. Such term does not include a physical escort, mechanical restraint, or chemical restraint.
- ii. Physical restraint may be used only when there is an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible, and only in a manner that is age and developmentally appropriate.
- iii. Physical restraint does not include brief, but necessary physical contact for the following or similar purposes:
 1. To break up a fight.
 2. To knock a weapon away from a student's possession.
 3. To calm or comfort.
 4. To assist a student in completing a task/response if the student does not resist the contact.
 5. To prevent an impulsive behavior that threatens the student's immediate safety (i.e., running in front of a car).

c. **Seclusion-**The involuntary isolation of a student in a room, enclosure, or space from which the student is prevented from leaving by physical restraint or by a closed door or other physical barrier. It does not include a timeout.

d. **Time out -** A behavioral intervention in which a student, for a limited and specified time, is separated from the class within the classroom or in a non-locked setting for the purpose of self-regulating and controlling his or her own behavior. In a timeout, the student is not physically restrained or prevented from leaving the area by physical barriers.

II. Requirements for the use of Restraint:

Given an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible, if physical restraint is applied the staff must

Wood Lane School does not authorize the use of seclusion as it is a prohibitive measure. It is not a strategy that would be used.

VI. **Reporting and notification:**

- a. Any incident of seclusion or restraint shall be immediately reported to building administration and the parent.
- b. Any incident of seclusion or restraint shall be documented in a written report that is made available to the parent within twenty-four hours and that is maintained by the school district, in the student file.
- c. The district shall annually report information regarding its use of restraint and seclusion to the Ohio Department of Education in the form and manner as prescribed by the department.

VII. **Training and professional development:**

- a. The district will ensure that all personnel serving in Wood Lane School are trained annually in crisis management and de-escalation techniques using Positive Behavior Supports, as identified by the Wood County Board of Developmental Disabilities.
- b. The school district will maintain written or electronic documentation on training provided and lists of participants in each training.
- c. All student personnel shall be trained annually on the requirements of this policy, Ohio Adm. Code 3301-35-15, and the district's policies and procedures regarding restraint and seclusion.
- d. The district will have a plan regarding training student personnel as necessary to implement positive behavior intervention and supports on a system-wide basis.

VIII. **District Monitoring:**

- a. The district shall monitor the implementation of PBIS policy and procedures.
- b. Procedures shall be accessible on the district's website.
- c. The district shall be responsible for notifying all parents annually of its policies and procedures concerning seclusion and restraint.
- d. Following a third incident of restraint, a team meeting will be held with parents and the student's associated school district to determine the requirement for a BIP/FBA and/or additional training for school personnel.

IX. **Complaint:**

- a. The district will follow a complaint procedure identified below.
- b. Parents will present written complaints to the Superintendent of the school district to initiate a complaint investigation by the school district regarding an incident of restraint or seclusion; and
- c. The district will respond to the parent's complaint in writing within thirty (30) days of the filing of a complaint regarding an incident of restraint or seclusion.
- d. The parent of a student with a disability may choose to file a complaint with the Ohio Department of Education, Office for Exceptional Children, in accordance with the complaint procedures available concerning students with disabilities.
- e. In accordance with the consent order entered in Doe v. State of Ohio, complaints alleging the improper use of restraint or seclusion on a student with a disability will be investigated by the Ohio Department of Education, Office for Exceptional Children, if the complaint otherwise falls within the procedures concerning state complaints under IDEA as set forth in Ohio Adm. Code Rule 3301-51-05(K) (4)-(6).
- f. Complaints alleging injuries to a student with a disability, or the use of restraints or seclusion shall not be deemed insufficient on the face of the complaint if they are framed within the context of IDEA, including:
 - i. A pattern of challenging behaviors that are related to the student's disability.
 - ii. Whether the student has had or should have had a functional behavioral assessment (FBA) and a positive behavior support plan (PBSP).
 - iii. Whether the FBA and PBSP are appropriate.
 - iv. Whether the student's behavior and interventions are addressed or should have been addressed in the IEP.
 - v. Whether staff has been sufficiently trained in de-escalation and restraint techniques.

Procedure for Restraint and Seclusion Wood Lane School

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- iii. During the debrief, if this behavior is noted as a pattern of dangerous behavior that leads to the use of restraint, a Functional Behavior Assessment, and/or a Behavior Intervention Plan may be completed upon consultation with the child's local district.

III. **Prohibited Practices for Use of Restraints:**

Staff members are not to use any physical restraints for which they have not been trained by the Wood County Board of Developmental Disabilities.

Staff members are not to use any unauthorized physical restraints.

This includes but is not limited to:

- a. Prone restraint.
- b. Any form of physical restraint that involves the intentional, knowing, or reckless use of any technique that involves the use of pinning down a student by placing knees to the torso, head, and or neck of the student.
- c. Using any method that can cause loss of consciousness or harm to the neck or restricting respiration in any way.
- d. Uses pressure point, pain compliance, or joint manipulation techniques.
- e. Corporal punishment.
- f. Dragging or lifting of the student by the hair or ear or by any type of mechanical restraint.
- g. Child endangerment, as defined in section 2919.22 of the Revised Code.
- h. Deprivation of basic needs.
- i. Seclusion or restraint of preschool children in violation of paragraph (D) of Rule 3301- 37-10 of the Revised Code.
- j. Chemical restraint.
- k. Mechanical restraint (that does not include devices used by trained school personnel, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed).
- l. Using other students or untrained staff to assist with the hold or restraint.
- m. Securing a student to another student or fixed object.
- n. Aversive behavioral interventions.
- o. Seclusion in a locked room or area.

IV. **Requirements for Use of Seclusion**

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