



# **PROCEDURES FOR USE OF TIME OUT AND PHYSICAL RESTRAINT**

**August 2020**

### **DISENGAGEMENT PROCEDURES**

Disengagement is personal safety techniques utilized by CPI certified staff to keep themselves safe from injury if they encounter someone engaging in risk behaviors (grabs).

The following procedures/documentation set forth are to be utilized when staff physically disengage from a student's grab. Staff involved will:

- Develop disengagement documentation created in collaboration with school psychologist
- Maintain documentation in the classroom.

### **TIME OUT PROCEDURES**

Working with students with significant behavior problems requires the use of many different techniques. The District believes that time-out, when applied in a planned, thoughtful way, may be an appropriate technique for improving a student's behavior.

Time-out is a behavioral technique in which a student is moved from a highly enriched reinforcement environment to a less reinforcing environment. There are three levels of time-out:

- **Inclusion time out:** A student's participation is limited but the student continues to observe the class activity. An example is when a student is moved away from the group but can watch what the group is doing.
- **Exclusion time out:** Occurs when a student is sent to an environment where the student is no longer able to access what is happening in the classroom; however, the student maintains access to students and/or staff. An example is when a student is placed in the hall, sent to detention, in school suspension, or principal's office, or an alternative location in the school.
- **Seclusion time out:** Occurs when a student is involuntarily placed alone in a separate room or area and prevented from leaving. This is the most restrictive form of time-out and should only be used after other forms of time-out have been considered.

Basic Considerations:

- Time out is only effective when the student perceives time-out as a loss of reinforcement. If the student does not find the classroom environment positive, he/she will not find time out aversive. In these cases, the student may display negative behaviors to be placed in time out to escape an undesired task or request or to engage the teacher in a power struggle.
- Time out is an effective procedure for eliminating a behavior only if the procedure includes positive behavioral supports for a replacement behavior.
- **When implementing a time-out procedure, staff should consider the entire spectrum of time-out procedures before choosing seclusion time out.**

**The following procedures set forth the District's expectations for the use of seclusion time out by District employees, to include both regular education and special education students:**

**Use of Seclusion Time Out**

The use of seclusion is limited to extraordinary, emergency situations where the behavior of a student poses a threat of imminent, serious, physical harm to self and/or others. Seclusion may be used only as a last resort after proper positive behavioral interventions and de-escalation techniques have failed to de-escalate the risk of injury. Seclusion should never be longer than needed to resolve the risk of actual harm. Generally, a student should be placed in seclusion time out for no more than 30 minutes and a student should be removed from seclusion time out within 3 to 5 minutes after he/she has displayed appropriate behaviors. When a student is placed in seclusion, they should be constantly visually monitored.

Seclusion should never be used:

- As punishment;
- To force compliance;
- As a substitute for appropriate educational support;
- In response to property destruction;
- In response to verbal threats and profanity that do not rise to a level of physical harm unless the student demonstrates a means of carrying out the threats; or

**Inclusion in Individual Plan**

If a student is subject to an individual plan developed by the District, including an intervention plan, IEP, or 504 plan, the appropriate team may consider the inclusion of seclusion time out in that plan. However, regardless of inclusion in an individual plan, any student may be placed in seclusion in situations where the behavior of a student poses a threat of imminent, serious, physical harm to self and/or others. If a student is displaying behaviors that require consideration of seclusion time out within an individualized plan, an appropriate team, which must include a specialist in behavior management, should be formed. The District considers a school psychologist to be one of the specialists in behavior management for these purposes. Other individuals also qualified might include a behavior specialist and special education teachers. However, seclusion time out should be included in the IEP only after the team determines that the following considerations are met:

- The student has a documented history showing a series of behaviors in the preceding two years that has created an imminent danger of serious bodily injury in school; and
- A comprehensive, data-driven functional behavior assessment (FBA) has been conducted and a behavioral intervention plan (BIP) was implemented by a qualified team of professionals for a reasonable period of time; and
- Less aversive or restrictive techniques have not been effective

When including seclusion time out in an individualized plan, the intervention team must define:

- What exact behaviors will lead to the seclusion (extraordinary, emergency situations where the behavior of a student poses a threat of imminent, serious, physical harm to self and/or others);
- Who will decide if the student requires seclusion;
- Where the seclusion will take place;

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- Who will monitor the student in the seclusion;
- What appropriate behaviors the student must display to be removed from seclusion;
- How long the student will be placed in seclusion; and
- What positive supports will be put in place to avoid the need for the use of seclusion.
- How the team will respond to requests for breaks from seclusion time out (i.e., to use the bathroom, for water, or for food).

The team must also consider that, regardless of inclusion in an individualized plan, seclusion time out is limited to emergency situations and should only be used as a last resort. If a student is being placed in seclusion time-out frequently or with any regularity, the appropriate team must reconvene to review the appropriateness of the student's individualized plan.

Before implementing a seclusion time out procedure for the student pursuant to an individualized plan, the appropriate team must also ensure that the student's parent has been advised of the definition of seclusion time out, that seclusion time out has been included in the student's individual plan, and when it may be used.

### **Requirements for Notification and Documentation**

#### **General Notification:**

The District places a parental notification on its website of its intent to use seclusion in extraordinary, emergency situations where the behavior of a student poses a threat of imminent, serious, physical harm to self and/or others.

#### **Documentation:**

Each time seclusion time out is used with a student, the school must complete specific documentation related to the incident and place it in the student's file. Documentation must include:

- Actions attempted prior to seclusion in an effort to manage or de-escalate the situation;
- Clear description of the safety concerns posed to student or others;
- Student's behavior before, during, and after seclusion;
- Location of seclusion;
- Amount of time in seclusion;
- Names and position titles of personnel involved with the incident;
- Date and time the administrator was notified;
- Date and time parents were notified and by whom; and
- Name and position of person completing the documentation.

The District's Restraint/Time-Out Incident Report Forms (Form 46, 46A, 47) are attached. These forms must be completed in their entirety and maintained in the student's file. The teacher, in consultation with the school psychologist, completes the Restraint/Time-Out Incident Report Forms 46 & 46A.

All incidents of seclusion time out must also be recorded separately by the teacher in a Restraint/Time-Out log (Form 48).

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- Classroom personnel must contact the designated school-level administrator and, where applicable, the student's case manager or relevant school psychologist as soon as possible **on the day of the incident** to notify them that seclusion was used.
- The student's parent must be contacted by the parent's preferred method of communication on the day that the seclusion occurs. The school level administrator shall notify the parents of regular education students, while the case manager or other appropriate certified staff member will contact the parents of a student with an IEP. Efforts to reach the parents must be documented, particularly when the case manager/administrator is unable to reach the parents directly.
- Written notice of seclusion must be sent home to the student's parents by the end of the next school day. The school level administrator will provide documentation to the parents of regular education students, while the case manager or other appropriate certified staff members will provide documentation to the parents of a student with an IEP. Written notice should include notification that documentation regarding the incident has been placed in the student's educational file and is available for review (Form 46)

### **Debriefing:**

The District expects that, following each seclusion incident, a staff debriefing occur (Form 47). The debriefing should occur within one school day after the event occurred.

**Who:** All staff involved in the physical restraint, an administrator, and at least one staff member who has expertise in the use of behavioral techniques, de-escalation, and approved restraint techniques (i.e., school psychologist), but who was not involved in the restraint event should participate in the debriefing. If all needed members cannot debrief at the same time, follow-up debriefings can be scheduled. (This allows for the debriefing to continue with the staff available within one day of the incident with follow-up with others later if needed)

**What:** The debriefing should include a discussion of the behaviors that preceded the behavior or conduct causing seclusion, the interventions that were used and why they were unsuccessful, if and how the situation could have been handled in a way to prevent the need for restraint or seclusion, and how similar events may be avoided in the future.

**Written Summary:** When a de-briefing is held, a written summary of the de-briefing must be completed by the case manager or other appropriate certified staff member and placed in the case manager's files. This summary is separate from the initial incident report. Parents must have access to and an opportunity to review the summary if they request to do so.

### **Data Collection:**

School staff and administrators are expected to maintain data on seclusion incidents in a manner that will allow them to monitor when and how often seclusion is used for any particular student. In addition, the building administrator will maintain a list of all students who have Seclusion Time Out included in any individualized plan. Restraint/Time-Out Incident Report forms will be submitted to the Office of Special Services on a quarterly basis.

### **Time Out Room Requirements:**

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The seclusion time-out setting must adhere to the following specifications:

- Unless otherwise approved by the Office of School Facilities, the room/area must be of sufficient size (minimum of 8' x 8') to accommodate student being isolated and any other individual who is required to accompany that student.
- Same ceiling height as surrounding rooms (must be of sufficient height that the student could not jump up and be injured by ceiling fixtures).
- Must include an observation window made of safety glass (not wire glass) that allows the adult responsible for supervising the student to directly observe the student at all times in any area of the seclusion room.
- Must be free of electrical outlets, exposed wiring, and other objects (chairs, bookcases, etc) that could be used by students to harm themselves or others;
- Be designed so that students cannot climb up the walls, including walls spaced far enough apart to deny sufficient leverage for climbing
- Area/Room must be equipped with heating, cooling, ventilation, and lighting systems that are comparable to the systems in other rooms of the building.
- Automatic smoke detection devices (tied into the building fire alarm) must be provided for the space immediately outside the door to time out room and those time out rooms in sprinklered buildings cannot interfere with proper sprinkler coverage.
- Must be constructed of materials that cannot be used by students to harm themselves or others: minimal construction shall consist of metal studs with impact resistant cement board; however, recommended construction is concrete block. Wood and plywood are not permitted. Carpet is not permitted on floors or ceilings for any reason and may only be used on walls if proven to be in compliance with current codes without use of nails or tacks;
- If the area uses a rated wall, the integrity of that wall should be verified by a design professional; and
- Area/Room cannot reduce the size of corresponding classrooms below that stipulated in School Facilities Planning and Construction Guide without prior approval by the Office of School Facilities;

Students can only be placed in a **locked** setting for **seclusion time out** setting under one of the following conditions:

- A staff member is continually monitoring the student and the lock is an electromagnetic lock that automatically deactivates when the fire alarm is sounded allowing the student to leave the room.
- A staff member is continually holding the mechanism locking the door while the student is in seclusion time-out thus ensuring the child is being monitored and can be quickly removed in the event of an emergency.

### **Staff Training:**

#### **(Training Extensions for the 20-21 School Year)**

**Due to Covid 19 and the Social/Physical Distancing requirements in place in the state of South Carolina by order of the Governor - Recertification Participants will be allowed a one year extension from their current certification date if they complete the following requirements...**

### **Refresher/Recertification Plan**

- Complete pre-recorded virtual sessions and Google Meet
  - 2 sessions (20-30 minutes each) that will be posted/shared and completed individually
  - 1 Google Meet, facilitated by a CPI trainer to follow-up on pre-recorded trainings
- Complete Quarterly Trainings
  - 1 hr sessions completed at each school by certified trainers (face-to-face or virtual)
  - Consists of review of procedures, as well as instruction on technique

**\*The Refresher/Recertification will be offered initially as a session through the PBIS Summer Camp.** The remaining individuals will be **required** to sign up for virtual sessions during the first quarter of school.

\*The Refresher/Recertification plan outlined above is only a temporary extension to **current** certification holders.

Staff implementing a seclusion time-out procedure must have received an initial 8 hours of CPI training and recertification training every year thereafter to learn techniques for deescalating situations and avoiding the need for seclusion time-out.

## **RESTRAINT PROCEDURES**

Working with students with significant behavior problems requires the use of many different techniques. The District recognizes that the use of physical restraint may be required to protect the student or members of the school community from potentially serious dangers when a student begins to physically act out toward him/herself or others.

In the school setting, restraint is understood to immobilize or restrict the ability to freely move his or her arms, legs, or head freely. This includes mechanical restraints, further defined as a device that restricts the movement or function of a child or a portion of a child's body. The following procedures were developed to ensure that the care, welfare, safety, and security of all students, faculty, and staff are maintained in the event of a crisis situation.

Restraint does not include the following:

- Temporarily holding an individual to help him or her participate in education or daily living activities;
- Escorting techniques, where a student is provided limited physical encouragement (i.e., hand on the back or a hand on the elbow) to help him or her move from one location to another without rising to the level of physically forcing compliance;

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- Appropriate use of adaptive equipment or products, provided they are used in accordance with manufacturer's recommended usage. Adaptive equipment may include, but is not limited to, adaptive seating products or therapeutically prescribed devices such as weighted vests. If adaptive equipment, such as a Rifton chair or weighted vest, is used for the purpose of limiting mobility or as a punitive measure, its use constitutes restraint subject to SDE Guidelines and documentation procedures; or
- Chemical restraints (medication for safety or behavioral supports) prescribed by medical personnel.

**The following procedures set forth the District's expectations for the use restraint by school district employees, to include both regular education and special education students:**

### **Use of Restraint**

The use of restraint is limited to extraordinary, emergency situations where the behavior of a student poses a threat of imminent, serious, physical harm to self and/or others. Restraint may be used only as a last resort after proper positive behavioral interventions and de-escalation techniques have failed to de-escalate the risk of injury. Positive reinforcement of the desired behavior must be given first consideration.

Restraint should never be used:

- As punishment;
- To force compliance;
- To address non-compliance (refusal to comply with a staff directive or school rule);
- As a substitute for appropriate educational support;
- In response to property destruction;
- In response to a student's flight, escape, or running away, unless there is **imminent** risk of injury related to the escape
- In response to verbal threats and profanity that do not rise to a level of physical harm unless the student demonstrates a means of carrying out the threats; or
- Longer than needed to resolve the risk of actual harm.

### **Types of Physical Restraint**

The use of prone restraints (face down on stomach), supine restraints (face up on the back), or any hold or maneuver that places pressure or weight on the student's chest, lungs, sternum, diaphragm, back, neck, or throat are strictly forbidden. In addition, the degree of force used must not exceed what is necessary to protect the student or others from imminent bodily injury.

Staff members will only use physical restraint methods that are authorized by the Crisis Prevention Institute training program (CPI). The person administering physical restraint will use the safest, least intrusive method of restraint that is appropriate to the situation and an approved method of CPI. Whenever possible, the restraint should be monitored by another staff member. During the restraint, the



student's physical condition will be constantly monitored, including the student's breathing, skin color, and the ability to speak. A physical restraint will be discontinued as soon as staff determines that the student has regained control of him/herself and is no longer of imminent danger to him/herself or others.

### **Mechanical restraints**

A mechanical restraint is defined as a device that restricts the student's ability to move freely. This includes but is not limited to ties, belts, tape, and in certain cases, adaptive equipment such as Rifton chairs and standing tables. The use of mechanical restraints in public school settings is strictly prohibited.

Note: this does not preclude the appropriate use of adaptive equipment for positioning and other therapeutic purposes, in accordance with the manufacturer's recommended usage.

### **Use only by Trained Staff**

#### **(Training Extensions for the 20-21 School Year)**

**Due to Covid 19 and the Social/Physical Distancing requirements in place in the state of South Carolina by order of the Governor - Recertification Participants will be allowed a one year extension from their current certification date if they complete the following requirements...**

#### **Refresher/Recertification Plan**

- **Complete pre-recorded virtual sessions and Google Meet**
  - **2 sessions (20-30 minutes each) that will be posted/shared and completed individually**
  - **1 Google Meet, facilitated by a CPI trainer to follow-up on pre-recorded trainings**
- **Complete Quarterly Trainings**
  - **1 hr sessions completed at each school by certified trainers (face-to-face or virtual)**
  - **Consists of review of procedures, as well as instruction on technique**

**\*The Refresher/Recertification will be offered initially as a session through the PBIS Summer Camp. The remaining individuals will be required to sign up for virtual sessions during the first quarter of school.**

**\*The Refresher/Recertification plan outlined above is only a temporary extension to current certification holders.**

Only staff members who have been certified through the CPI training program will restrain a student. The staff member must successfully complete the initial eight-hour training session and successfully complete a four-hour recertification CPI program once annually.

### **Inclusion in Individual Plan**

If a student is subject to an individual plan developed by the District, including a plan, IEP, or 504 plan, the appropriate team may consider the inclusion of restraint out in that plan. However, regardless of inclusion in an individual plan, any student may be placed in seclusion in situations where the behavior or a student poses a threat of imminent, serious, physical harm to self and/or others. If a student is displaying behaviors that require consideration of restraint within an individualized plan, an appropriate team, which must include a specialist in behavior management, should be formed. The District considers a school psychologist to qualify as a specialist in behavior management for these purposes. However, physical restraint should be considered only after the team determines that the following considerations are met:

- The student has a documented history showing a series of behaviors in the preceding two years that has created an imminent danger of serious bodily injury in school; and
- A comprehensive, data-driven functional behavior assessment (FBA) has been conducted and a behavioral intervention plan (BIP) was implemented by a qualified team of professionals for a reasonable period of time; and
- Less aversive or restrictive techniques have not been effective

The team must also consider that, regardless of inclusion in an individualized plan, restraint is limited to emergency situations and should only be used as a last resort. If a student is being physically restrained frequently or with any regularity, the appropriate team must reconvene to review appropriateness of the student's individualized plan.

### **Requirements for Notification and Documentation**

#### **General Notification:**

The District places a parental notification on its website of its intent to use physical restraint in extraordinary, emergency situations where the behavior of a student poses a threat of imminent, serious, physical harm to self and/or others.

#### **Documentation:**

Each time a district employee uses physical restraint with a student, the school must complete specific documentation related to the incident and place it in the student's file. Documentation must include:

- Actions attempted prior to physical restraint in an effort to manage or de-escalate the situation;
- Clear description of the safety concerns posed to student or others;
- Clear description of the physical restraint techniques used;
- Location of restraint;
- Amount of time in restraint;
- Student's behavior before, during, and after restraint;
- Names and position/titles of personnel involved with the incident;
- Information on training completed by personnel involved with the incident
- Date and time the administrator was notified;
- Date and time parents were notified and by whom; and
- Name and position of person completing the documentation.

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The District's Restraint/Time-Out Incident Report Forms (Form 46, 46A, 47) are attached. These forms must be completed in their entirety and maintained in the student's file. The teacher, in consultation with the school psychologist, completes the Restraint/Time-Out Incident Report Forms 46 & 46A.

### **Nurse**

Even if the classroom personnel has no reason to believe that the student has suffered any injury or effect from the restraint, the student must be seen by the school nurse on the day of the restraint incident to ensure that the student has not been harmed in any way while being restrained. If an injury is suspected, the nurse may proceed in an appropriate manner to ensure the student's health and well-being. Otherwise, the school nurse may make a cursory examination of the student without obtaining prior parental consent. If the school nurse believes further examination (i.e., requires removal of clothing) is warranted, he or she should obtain consent from the student's parents prior to proceeding.

Before the end of the school day, the nurse will provide written documentation of his/her examination to the appropriate school personnel (school administrator for regular education students and case manager or other appropriate certified staff member for students with IEPs) for inclusion in the student's file. The school nurse will also retain a copy. A copy of the nurse's report is not required to be included with the information sent home to the parents on the day after the incident, but is available for their review upon request.

If a nurse is not available on campus on the day of the restraint, an administrator will make a cursory examination of the student. The administrator will complete the required paperwork and share with the school nurse for inclusion in the student's file.

### **Notification of physical restraint performed by district staff:**

#### **Contact:**

- Classroom personnel must contact the designated school-level administrator and, where applicable, the student's case manager or other appropriate certified staff member as soon as possible **on the day of the incident** to notify them that physical restraint was used.
- The student's parent must be contacted by the parent's preferred method of communication on the day that the restraint occurs. The school level administrator shall notify the parents of regular education students, while the case manager or other appropriate certified staff member will contact the parents of a student with an IEP. Efforts to reach the parents must be documented, particularly when the case manager/administrator is unable to reach the parents directly.
- Written notice of the restraint must be sent home to the student's parents **by the end of the next school day**. The school level administrator will ensure documentation is completed and provided to the parents of regular education students, while the case manager or relevant school psychologist will complete and provide documentation to the parents of a student with an IEP. Written notice should include notification that documentation regarding the incident has been placed in the student's educational file and is available for review. (Form 46)

**Debriefing:**

The District expects that, following each physical restraint incident, a staff debriefing occurs (Form 47). The debriefing should occur within one school day after the event occurred.

**Who:** All staff involved in the physical restraint, an administrator, and at least one staff member who has expertise in the use of behavioral techniques, de-escalation, and approved restraint techniques (i.e., school psychologist), but who was not involved in the restraint event should participate in the debriefing.

**What:** The de-briefing should include a discussion of the behaviors that preceded the behavior or conduct causing restraint, the interventions that were used and why they were unsuccessful, if and how the situation could have been handled in a way to prevent the need for restraint, and how similar events may be avoided in the future.

**Written Summary:** A written summary of the de-briefing must be completed by the case manager or other appropriate certified staff member and placed in the case manager's files. This summary is separate from the initial incident report. Parents must have access to and an opportunity to review the summary if they request to do so.

**Data Collection:**

School staff and administrators are expected to maintain data on physical restraint incidents in a manner that will allow them to monitor when and how often restraint is used for any particular student. In addition, the building administrator will maintain a list of all students who have restraint included in any individualized plan.