



Northwest Allen County Schools

NACS Physical Restraint & Seclusion (Time Out) Plan Annual Staff Orientation Packet

Overview

- NACS has a physical restraint and seclusion plan that has been implemented for a number of years.
- State law was changed effective Aug. 1, 2013, that required all schools to have a physical restraint and seclusion plan in place for **all** students, not just students with disabilities.
- This plan is required to be in place and became effective July 1, 2014 and must include specific elements that are all outlined in the NACS plan.
- **All** staff are required to review the NACS Physical Restraint and Seclusion Plan and must sign off that they have reviewed the district plan, annually.
- Regardless of this plan, NACS holds the belief that appropriate student behavior is a skill that must continually be promoted, taught, and modeled. Positive behavior supports and conflict de-escalation strategies should be incorporated regularly in classroom instruction.
- NACS must have persons trained in physical restraint procedures that meet specific criteria. A list of staff can be found in the office at each individual school. NACS provides initial and recertification training in CPI (safe, non-harmful physical restraint and de-escalation strategies) for specified staff who can then implement restraint as a *last resort*. Any physical restraint is administered in a manner consistent with CPI certified training only. However, there is nothing in the law to prevent 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 this training as described (CPI).
- Any use of physical restraint or seclusion (see definitions) must be reported to the building principal or his/her designee within a certain time frame. Physical restraint and supervised seclusionary time out (SSTO) must also be documented and provided to the principal within a specified timeframe
 - **NOTE:** NACS' complete plan, procedures, and district forms for documentation concerning the use of physical restraint and seclusionary time out can be found at *I:/NACS-AllStaff/NACS Physical Restraint and Seclusion Plan*.
- If a student is placed in supervised seclusionary time out, they must be supervised at all times.
- Review the plan for physical restraint and seclusion (below) at the start of each new school year. There must be a record of each staff member reviewing the plan.

Physical Restraint Plan

Restricting the use of physical restraint applies to all students, not only students with disabilities. Any behavior intervention must be consistent with a child's rights to be treated with dignity and respect, and to be free from abuse and neglect.

Maintaining a school environment that is conducive to student learning requires that the environment be orderly and safe. It also requires that appropriate student behavior be promoted, taught, and modeled. Physical restraint of a student may sometimes be necessary to protect the student or other individuals from an imminent risk of injury. Physical restraint will be used with extreme caution and only in emergency situations, after other less intrusive alternatives have failed. The emphasis is on prevention and de-escalation, which promotes safety for all and reduces the risk of injury to both students and program staff. The primary techniques and strategies used with the student should be positive behavior supports, verbal de-escalation, and conflict de-escalation strategies to prevent or minimize the need for physical restraint. Any behavior intervention used must be consistent with the student's most current individualized education program and BIP, if applicable.

The two conditions of physical restraint are:

1. Physical restraint is used only in a situation in which there is *imminent risk* of injury to the student, other students, school employees, or visitors
2. Less restrictive procedures have been implemented without success

The three goals of physical restraint are:

1. To administer physical restraint only when needed, *as a last resort*, to protect a student and/or member of the school community from physical harm
2. To prevent or minimize any harm to the student as a result of the use of physical restraint
3. To use physical restraint for only a short time period, or until the imminent risk of injury has passed

The two conditions described above, with the names of those staff members involved and any other circumstances surrounding use of the physical restraint, must be documented with a copy placed in the student's record and an incident report provided to the parent. Both the parent and administrator should be informed as soon as possible after each use of physical restraint.

The Executive Director of Special Education or his/her designee will provide all staff with guidelines and information regarding physical restraint. The only school personnel who should physically restrain students are those who have been trained through an approved restraint training program. The only physical restraints to be used are those taught by an approved restraint training program. Training in conflict de-escalation and positive behavioral interventions and supports would be appropriate training related to physical restraint. Staff also must be made aware of the possible effects of physical restraint, first aid and CPR, and any additional local or state regulations regarding its use.

Each building will provide its staff with a list of the school's personnel who have been trained through a restraint training program. However, nothing precludes any teacher or employee from using professional judgment to implement reasonable force to protect students, other persons, or themselves from physical harm in the case of an emergency. In such circumstances, any untrained staff shall request assistance from trained staff as soon as possible. In addition, nothing in this plan should interfere with or prohibit any rights or responsibilities of law enforcement.

Since physical restraint is an emergency procedure and is used only if there is a threat of physical danger to the student or others, a large number of “emergencies” is an indication that normal educational or behavioral programming may not be working adequately and should be revised. In the case of a student eligible for special education, a meeting of the case conference committee should occur to review the circumstances.

Physical restraint is considered an emergency procedure. Therefore, it should not be included in a student’s IEP as a routine or typical procedure. However, an Emergency or Crisis Plan should be created in situations where the student truly presents a predictable risk of injury and where less restrictive de-escalation methods have failed on multiple occasions. Parents should be involved in writing these safety plans to the extent feasible. Parents should be informed if the school feels a student is at high risk for physical restraint.

This Physical Restraint Plan, in conjunction with the school’s Teacher Directed Time Out plan, and the procedures and forms promulgated by the Superintendent (or his designee) to implement both, shall collectively constitute the school’s “restraint and seclusion plan” as required by Ind. Code 20-20-40-14.

Teacher Directed Time Out Plan

Restricting the use of seclusionary time out applies to all students, not only students with disabilities. Any behavior intervention must be consistent with a child’s rights to be treated with dignity and respect, and to be free from abuse and neglect.

It is essential that behavior interventions that may prevent the need for time out and restraint are in place. Appropriate student behavior and appropriate behavioral responses should be modeled and taught on an ongoing basis. Expected behavior interventions include positive behavior supports, recognizing and reinforcing positive behavior, relying on a Behavior Intervention Plan (BIP) for specific students, and using conflict de-escalation procedures. The school will use these interventions in an effort to eliminate or minimize the need to use seclusion and restraint. Any behavior intervention used must be consistent with the student’s most current individualized education program and BIP, if applicable.

Conflict de-escalation is a critical intervention used to eliminate or minimize the need for seclusion and restraint. Generally, conflict de-escalation is useful to prevent and defuse behavior problems for students with emotional problems as well as any student who engages in power struggles or escalates emotional crises for other reasons. Training in this area should be made widely available.

Teacher-directed time out should not be confused with and is not the same as situations in which students make a “free-will” choice to go somewhere to be alone and think and have the ability to leave and return to the classroom at any time (e.g., “cool down rooms,” “safe places”). Teacher-directed time out includes a continuum of time out procedures made up of at least three types of time out procedures.

The three types of time out procedures are as follows:

- A. **Inclusionary time out:** The student is removed from the instructional setting to another part of the classroom. The student maintains the ability to see and/or hear what is going on in the classroom.
- B. **Exclusionary time out:** The student is removed from the instructional setting to another environment where there is no longer access to what is going on in the classroom, but where the student may have access to other students and staff (e.g., hallway, principal’s office, detention room, another classroom)

- C. **Supervised Seclusionary Time Out (SSTO):** The student is removed from the regular classroom environment and placed in an approved, secure, supervised time out room - for only as long as necessary to resolve the risk of danger or harm or while awaiting the arrival of crisis intervention personnel. SSTO will only be used when the student is engaging in behaviors that may constitute an imminent risk of injury to self or others and when other less restrictive interventions are ineffective.

The purposes of the first two time-outs are behavior reduction strategies. The last form, SSTO, is used to prevent injury or harm. SSTO is not a teaching strategy, but an emergency procedure. It is never to be used as punishment or discipline.

SSTO to control behavior should be used as a last resort and only under the following emergency circumstances and only if all three of these elements exist:

- A. The student's actions pose an imminent risk of injury to him/herself or to others;
- B. Less restrictive measures have not effectively de-escalated the risk of injury; **and**
- C. The seclusion should last only as long as necessary to resolve the imminent risk of injury or while awaiting the arrival of crisis intervention personnel.

Each of these three elements described above, with the names of those staff members involved and any other circumstances surrounding use of the SSTO, must be documented after any use of seclusion with a copy placed in the student's record and an incident report provided to the parent. Both the parent and administrator should be informed as soon as possible after each use of SSTO.

If SSTO is to be used with students, it is required that anyone using these procedures be trained on a recurrent basis in its use. Training in conflict de-escalation and positive behavioral interventions and supports would be appropriate training related to seclusion. Staff also must be made aware of the possible effects of SSTO, first aid and CPR, and any additional local or state regulations regarding its use.

If a student is placed in a SSTO he/she must be continuously observed by an adult for the entire period of the seclusionary time out. Occasional checks are not acceptable.

Since SSTO is an emergency procedure and is used only if there is a threat of physical danger to the student or others, a large number of "emergencies" is an indication that normal educational or behavioral programming may not be working adequately and should be revised. In the case of a student eligible for special education, a meeting of the case conference committee should occur to review the circumstances.

SSTO is considered an emergency procedure. Therefore, it should not be included in a student's IEP as a routine or typical procedure. However, an Emergency or Crisis Plan should be created in situations where the student truly presents a predictable risk of injury and where less restrictive de-escalation methods have failed on multiple occasions. Parents should be involved in writing these safety plans to the extent feasible. Parents should be informed if the school feels a student is at high risk for SSTO.

This Teacher Directed Time Out plan, in conjunction with the school's Physical Restraint plan, and the procedures and forms promulgated by the Superintendent (or his designee) to implement both, shall collectively constitute the school's "restraint and seclusion plan" as required by Ind. Code 20-20-40-14.