

Seclusion and Restraint Guidelines

(Draft #2-01/18/07)

Seclusion rooms; use and restrictions-part 1:

The intent of seclusion time is to provide the student with an opportunity a). to have quiet time to rethink decisions made and actions taken that prompted the need for such a measure to be used, b). an opportunity to re-focus on what to do next, and c). for the teacher and student to reach a compromise that is in the best interest of everyone involved.

Each child with a disability shall have the right to be free from the unreasonable, unsafe, or unwarranted use of seclusion rooms as specified in state and local guidelines.

A seclusion room shall be used only as a behavior intervention strategy and shall not be used for purposes of discipline, punishment, or staff convenience.

Any child with a disability may be placed in a seclusion room only if this action is specified in the student's IEP or behavior intervention plan (BIP), or the behavior of the student presents an imminent risk of harm to self or others (i.e.: meaning an immediate and impending threat of causing substantial physical injury to self or others).

Unless a child's behavior presents an imminent risk of harm to self or others, a child with a disability shall not be placed in a seclusion room unless other less restrictive behavior intervention strategies specified in the child's IEP or BIP, as appropriate to specific behavior, have been implemented but were ineffective.

If the IEP team of a child with a disability determines, based upon the results of a functional assessment of behavior and other relevant information, that an appropriate behavior intervention plan for the child should include the use of a seclusion room, the IEP team shall include this information in the child's IEP or BIP and shall specify details about where the seclusion can occur, the maximum length of any period of seclusion (i.e.: the number of minutes is based on the students age-a 5 yr. old would be 5 minutes, etc. At the end of the pre-determined period of time the student has cooled down and can articulate or agree to return to their classroom to complete tasks requested, then the student is removed. If the student has not cooled down and is unwilling to articulate or agree to return to the room without further endangerment to self or others, the student will remain in seclusion for another 5 minutes. This can be repeated **(determined by the IEP team)** times per placement into the room., the number of times during a single school day that the child can be placed in seclusion (i.e.: Seclusion will not be used more than **(determined by the IEP team)** times per day.), and any other matter agreed to by the IEP team.

The IEP team also shall specify the data to be collected to determine whether this strategy is effective with the child, including the number of times that the use of a seclusion room within a fixed period of time could signify the need for an IEP meeting, and a date by which a review of the effectiveness of this intervention strategy shall be made and by whom. The parent shall be given the opportunity to participate in this review. The initial review date shall not be scheduled for a date exceeding 45 school days in the future.

An IEP team meeting may be convened at any time to review and possibly make changes in the use of this intervention strategy, understanding that parents can waive 10 prior notice, to meet.

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A child with a disability shall not be placed in a seclusion room if the child is known to have any medical condition that a licensed health care provider has indicated, in a written statement that is provided to the school and that is on file with the school, precludes this action.

A child with a disability shall not be placed in a seclusion room unless a school employee who has had training in the appropriate use of seclusion rooms, including getting the child to the seclusion room, placing the child in the room and supervising the child while in the room. The training must meet guidelines for this training established by the state department of education and the local Cooperative to ensure the safe use of this behavior intervention strategy.

While a child with a disability is in a seclusion room, the school employee(s) who is supervising the student (the students assigned case manager or designee in their absence) shall have the ability to see and hear the student at all times.

Not more than one child with a disability shall be placed in a single seclusion room at the same time.

Show parents the exact location of the room and exactly how their child will be placed in the room.

Restraint; use and restrictions-part 1:

Each child with a disability shall have the right to be free from the unreasonable, unsafe, or unwarranted use of restraint as provided in this state and local guideline.

A child with a disability shall not be subjected to mechanical restraint (i.e.: handcuffs). Mechanical restraint shall not mean any device used by a law enforcement officer, campus police officer, or school security officer in carrying out law enforcement duties.

A school employee may use physical restraint on a child with a disability only if the child's behavior presents an imminent risk of harm to self or others. The school employee(s) applying the restraint shall use a method of restraint in which the employee has received training (Crisis Prevention Intervention training) and shall apply the restraint in a manner that is proportionate to the circumstances, and that is appropriate to the severity of the child's behavior, size and age. The training for school employees shall meet the guidelines established by the state department of education and the local Cooperative. The type of restraint to be used will be known to the parent and included in the student's IEP or BIP or both.

Verbal threats or refusal to comply with a staff directive or school rule does not warrant physical restraint, unless this is agreed to in the IEP or BIP by the parent(s) however, its immediate use may be justified if there is imminent danger to self or others.

Seclusion or restraint; reports and notification:

When a child with a disability is placed in a seclusion room or is subjected to restraint, the following procedures shall be implemented. Physical restraint should be the last resort to protect the student and others from harm.

As soon as possible after use of the seclusion room or restraint, the school employee who used the seclusion room or restraint, or an employee who witnessed its use, shall document the use of the seclusion room or the restraint. This documentation shall be completed no later than the school day following the day on which the seclusion room or restraint is used and shall be provided to the parent of the child at the time it is completed. This documentation will be reviewed by the building principal prior to release to the parent to ensure clarity, the sequence of events and steps taken to ensure the safety of the child and others involved. See documentation form attached.

Seclusion rooms; use and restrictions-part 2-students identified as Autistic:

The use of seclusion rooms can result in unintended negative effects on students with disabilities, especially students with autism.

Consider discontinuing use of the seclusion room if the student shows a strong, sustained negative reaction to it.

Seclusion rooms should not be used for self-injurious behaviors demonstrated by students.

Show parents of children with autism the exact location of the room you plan to use and exactly how their child will be placed in the room.

Restraint; use and restrictions-part 2:

Verbal threats or refusals to comply with a staff directive or a school rule does not warrant physical restraint, unless this is agreed to in the IEP or BIP, however, its immediate use (restraint) may be justified if there is imminent danger to self (to include self-injurious behaviors) or others. Physical restraint should be the last resort to protect the student and others from harm.

Staff Training and Other Support Systems Available in our Cooperative Include:

- Crisis Prevention Intervention-initial and renewal trainings,
- Love and Logic,
- 1-2-3 Magic,
- Individualized behavior plans developed by IEP teams,
- Inservices provided by the Cooperative and/or inservices/workshops/conferences regionally and statewide on topics of strategies/ interventions that work,
- Student handbooks provided at the building level identifying student rules of conduct and consequences,
- Cooperative has the option to provide out of district special education placements for most challenged students via self-contained classrooms,
- Buildings provide space used for seclusionary rooms,
- Availability of School Psychologists and Social Workers for staff consultations and development of BIP's and functional behavior assessments,
- Availability of ADD/ADHD trainers within the Cooperative,
- Availability of Cooperatives Autism Consultation Team or individual team members to provide back-up support services, resources, classroom observations and consultations.

Seclusion rooms, size and characteristics. (a) Before July 1, 2008, each seclusion room to be used for any particular child shall be of a size agreed upon by the child's IEP team. On and after July 1, 2008, each seclusion room shall contain at least 36 square feet of floor space and shall have a ceiling height that is comparable to the ceiling height of the other rooms in the building.

- (b) Each seclusion room shall be equipped with heating, cooling, ventilation, and lighting systems that are comparable to the systems that are in use in the other rooms of the building in which the seclusion room is located.
- (c) Each seclusion room shall be free of any object that poses a danger to the child with a disability who is being placed in the room.
- (d) Any seclusion room may be equipped with a door that locks only if the lock is equipped with a device that can automatically disengage the lock. (Authorized by K.S.A. 2005 Supp. 72-963; implementing K.S.A. 2005 Supp. 72-966; effective _____.)