

**MOUNTAIN HOME SCHOOL DISTRICT NO. 193  
MOUNTAIN HOME, IDAHO 83647**

**PROCEDURES**

**RESTRAINT OR SECLUSION OF STUDENTS PROCEDURE**

**DEFINITIONS:**

“Aversive technique” means physical, emotional, or mental distress as a method of redirecting or controlling behavior.

“Crisis intervention” means implementation of a predetermined strategy to mitigate immediate harm to students or staff in a behavioral crisis.

“De-escalate” means utilizing strategically employed verbal or non-verbal interventions to reduce the intensity of threatening behavior before a crisis situation occurs.

“Emergency” means a situation in which a student’s conduct creates a reasonable belief in another person that the student’s conduct has placed the student or a third person in imminent danger of serious physical harm. An emergency requires an immediate intervention.

“Functional behavioral assessment (FBA)” means the evaluation process of gathering information that can be used to hypothesize about the function of student behavior to develop a behavior intervention plan (BIP) for those students on an individualized education program (IEP).

“Imminent” means likely to happen right away or within a matter of minutes.

“Positive behavioral interventions and supports” means application of a broad range of systematic and individualized strategies for achieving important social and learning outcomes, while preventing problem behaviors by making them irrelevant, inefficient, and ineffective.

“Restraint” means a physical, mechanical, or chemical restraint used for the purpose of immobilizing or reducing an individual’s freedom of movement for the purpose of preventing harm to students and others.

- a. “Physical restraint” means immobilizing or reducing the ability of a student to move his or her torso, arms, legs, or head freely; not including temporary touching or holding for the purposes of escorting the student to a safe location.
- b. “Mechanical restraint” means using a device, object, or equipment to restrict a student’s freedom of movement; not including the use of devices prescribed by a qualified health professional, vehicle restraints, or devices used by law enforcement officers.

“Seclusion” means involuntary confinement in a room or other space during which a student is prevented from leaving, or reasonably believes that he will be prevented from leaving, by means that include, but are not limited to, the following: (1) manually, mechanically, or electrically locked doors that, when closed, cannot be opened from the inside; (2) blocking or other physical interference by staff; or (3) coercive measures, such as the threat of restraint, sanctions, or the loss of privileges that the student would otherwise have, used for the purpose of keeping the student from leaving the area of

seclusion. The term does not include a timeout used for the purpose of calming the student as part of an approved program.

- a. "Time-Out" means a behavioral management technique that is part of an approved treatment program and may involve the separation of a student from the classroom setting for the purpose of calming the student. Time-out shall not be considered seclusion of a student as defined.

"Noncompliance" means causing disruption to the educational process and/or detrimental to the safety and health of students and staff; being incorrigible; refusing direction given by teachers, paraprofessionals, office staff, administration, and law enforcement, and is subject to discipline and possible expulsion in accordance with Idaho Code.

- a. Idaho Code 33-205 – The Board of Trustees may deny enrollment, or may deny attendance at any of its schools by expulsion, to any pupil who is an habitual truant, or who is incorrigible, or whose conduct, in the judgment of the board, is such as to be continuously disruptive of school discipline, or of the instructional effectiveness of the school, or whose presence in a public school is detrimental to the health and safety of other pupils, or who has been expelled from another school district in this state or any other state. Any pupil having been denied enrollment or expelled may be enrolled or readmitted to the school by the board of trustees upon such reasonable conditions as may be prescribed by the board; but such enrollment or readmission shall not prevent the board from again expelling such pupil for cause.
- b. Idaho Code 33-205 – The superintendent of any district or the principal of any school may temporarily suspend any pupil for disciplinary reasons, including student harassment, intimidation or bullying, or for other conduct disruptive of good order or of the instructional effectiveness of the school.
- c. Idaho Code 33-512(6) – To prescribe rules for the disciplining of unruly or insubordinate pupils, including rules on student harassment, intimidation and bullying, such rules to be included in a district discipline code adopted by the board of trustees and a summarized version thereof to be provided in writing at the beginning of each school year to the teachers and students in the district in a manner consistent with the student's age, grade and level of academic achievement.
- d. Idaho Code 33-512(11) – To prohibit entrance to each schoolhouse or school grounds, to prohibit loitering in schoolhouses or on school grounds and to provide for the removal from each schoolhouse or school grounds of any individual or individuals who disrupt the educational processes or whose presence is detrimental to the morals, health, safety, academic learning or discipline of the pupils. A person who disrupts the educational process or whose presence is detrimental to the morals, health, safety, academic learning or discipline of the pupils or who loiters in schoolhouses or on school grounds, is guilty of a misdemeanor.

### **RESTRAINT AND/OR SECLUSION:**

The following physical restraint and/or seclusion procedures shall be used within the Mountain Home School District. These specific procedures apply to an emergency behavior, imminent danger situation and may or may not apply to students who have a specific behavioral contract or an Individualized Education Plan containing behavioral intervention planning.

Physical Restraint and/or Seclusion will only be used for the purpose of protection from imminent danger resulting in harm to self and/or others or for the purpose of serious property damage as defined

in policy. If a student does not have a current behavior intervention plan in place, a plan may be developed and implemented and include the use of physical restraint as defined in this policy.

Use of restraint and/or seclusion must be, (a) not implemented for the purpose of changing behavior when no need for protection is present or for punishment, and/ or (b) terminated as soon as the need for protection is over.

This policy does not prohibit a law enforcement officer from using physical or mechanical restraints in exercising his/her law enforcement duties.

Documentation (Emergency Incident Report) of physical restraint and/or seclusion must include: persons present during the restraint/seclusion, reason that protection from harm was necessary, verbal and non-physical (least restrictive) interventions that were attempted prior to the need for restraint/seclusion per incident, duration and location of the restraint/seclusion, any injuries that may have occurred to staff or students, and evidence that the staff involved and student engaged in processing and/or debriefing following the conclusion of the crisis requiring use of the restraint/seclusion. Such documentation shall be provided to parent/guardian at their request.

### **APPROPRIATE USE OF PHYSICAL RESTRAINT OR SECLUSION:**

Each school will establish practices that have the goal of making the school climate and environment welcoming and supportive of learning, and promote the recognition and reinforcement of appropriate student behavior. It is expected that school staff will implement positive behavioral interventions and supports, functional behavioral assessments and related behavior plans, and utilize constructive methods to de-escalate potentially dangerous situations.

In the case of a student on an individualized education program (IEP) whose behavior impedes the learning of that student or others, consideration of the use of positive behavioral interventions and supports and other strategies to address that behavior will occur.

The district authorizes staff members to use physical restraints in limited situations. Restraint or seclusion should only be implemented in situations where a student's behavior poses imminent danger of serious physical harm to self or others, and not as a routine strategy to address instructional problems or inappropriate behavior. Staff members are authorized to restrain a student or place a student in seclusion when an emergency, as defined above, exists.

The following guidelines apply to the use of physical restraint or seclusion:

- Staff members will take reasonable efforts to prevent the need for the use of physical restraint or seclusion by implementing positive behavioral interventions and supports.
- Staff members may only use physical restraint or seclusion in situations where (1) the student's behavior poses imminent danger of serious physical harm to self or others, and (2) other interventions are ineffective.
- Staff members will utilize the least restrictive technique necessary to end the threat of imminent danger of serious physical harm.
- Staff members will carefully and continuously visually monitor the student when physical restraint or seclusion is used to ensure the appropriateness of its use and the safety of the student and others.
- Staff members will immediately terminate the use of physical restraint or seclusion as soon as it is determined the student is no longer in imminent danger of serious physical harm to self or others, or if the student is observed to be in severe distress.

- Staff members will document in writing each incident requiring physical restraint or seclusion.
- Selected staff members will be trained on the appropriate use of effective alternatives to physical restraint and seclusion, and when appropriate, the safe use of physical restraint and seclusion. Only trained personnel will employ these interventions whenever possible.
- Staff members will review and revise behavioral strategies as appropriate to address the underlying cause of the dangerous behavior, and to prevent the repeated use of physical restraint or seclusion for managing the dangerous behavior.
- Parents will be notified verbally regarding physical restraint or seclusion as soon as possible and no later than 24 hours following the restraint or seclusion. (See section entitled “Notice to Parent/Guardian”).

### **PROHIBITED PRACTICES:**

The following are prohibited under all circumstances, including emergency situations:

- Staff members are prohibited from using mechanical restraints (e.g., handcuffs or plastic straps) to restrict a student’s freedom of movement. This policy does not prohibit law enforcement from using physical or mechanical restraints in exercising their law enforcement duties.
- Staff members are prohibited from using chemical restraints (i.e., drugs or medication) to control behavior or restrict freedom of movement. An exception is warranted as decided by a consultation between the IEP committee and a qualified health professional. In that case, drugs or medications must be (1) prescribed by a qualified health professional, and (2) administered as prescribed by the qualified health professional.
- Staff members are prohibited from using aversive techniques (e.g., shaming or “wall sits”) to control behavior or restrict freedom of movement.
- Staff members are prohibited from using physical restraint or seclusion techniques that restrict a student’s breathing or harm the student, and will be limited to using reasonable force when utilizing physical restraint or seclusion with a student. Specifically, the use of prone (i.e., lying face down) physical restraints should be avoided.
- Staff members are prohibited from employing physical restraint or seclusion procedures when a known psychiatric, medical, or physical condition of the student would make physical restraint or seclusion dangerous for that student. For example, seclusion is inappropriate for students who are severely self-injurious or suicidal.
- Staff members are prohibited from using any technique that is inconsistent with the student’s rights to be treated with dignity and to be free from abuse. The use of any technique that is abusive will be reported to the appropriate authorities.
- Staff members are prohibited from using physical restraint or seclusion (1) as a form of punishment or discipline; (2) as a means of coercion, retaliation, or as a convenience; (3) as a planned behavioral intervention in response to behavior that does not pose imminent danger of serious physical harm to self or others; or (4) in a manner that endangers the student.

### **NOTICE TO ADMINISTRATOR:**

Staff members must notify the building principal (and special education director, if appropriate) immediately when a student is physically restrained or placed in seclusion.

### **OBSERVATION OF STUDENT:**

A qualified staff member will maintain continuous, direct visual contact with the student throughout the duration of any seclusion or restraint.

Seclusion will not 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. A staff member will maintain continuous, direct visual and auditory contact with the student throughout the duration of any physical restraint or seclusion to ensure the appropriateness of its use and the safety of the student and others.

Students will be permitted to use the restroom upon request and will be escorted to and from the restroom. Students will also be provided water on request.

Monitoring will be conducted by a staff member who has received the required training to ensure the safety of the student and that procedures are appropriately implemented and documented.

### **SECLUSION AREA:**

Each school building must designate a clean and safe seclusion area for the intended use of confining a student without causing or allowing the student to harm himself or herself or others. The seclusion area will be of reasonable size; adequately lighted, ventilated, and heated/cooled, and free from objects or potential hazards that unreasonably expose the student or others to harm; permit direct, continuous visual and auditory monitoring of the student; must not be locked or prevent the student from exiting the area should an emergency arise; and comply with state and federal fire safety requirements. The seclusion area must comply with state and federal fire safety requirements.

A staff member will be required to visually inspect the seclusion area before and after each use to determine whether the area is clean and safe and address any concerns by reporting the concerns to maintenance staff.

### **TIME AND DURATION:**

Physical restraint and seclusion should not be used any longer than necessary to allow a student to regain control of his/her behavior.

If an emergency seclusion lasts longer than the suggested maximum time, the following are required: additional support (e.g., change of staff, introducing a specialist, or obtaining additional expertise) and documentation to explain the extension beyond the time limit.

### **REINTEGRATION INTO THE CLASSROOM:**

Staff members may make an independent judgment about when the student is ready to rejoin classmates or other activities. Reintegration may occur quickly, or may be very gradual, but will depend on the circumstances and the emotional state and readiness of the student to return to the normal situation.

### **INCIDENT REPORTING:**

Immediately after the student has restored emotional and behavioral control following the use of physical restraint or seclusion, a staff member not involved with the incident will visually examine the student to ascertain if any injury has been sustained during the physical restraint or seclusion.

The building principal or designee will verbally notify the parent/guardian as soon as possible and no later than 24 hours after the physical restraint or seclusion occurs.

The staff member(s) involved with the incident shall complete a written report as soon as possible after the incident. All use of physical restraint or seclusion procedures must be documented on an “incident report.” The incident report will be completed within one school day of the incident.

The building principal or designee will place a copy of the report in the student’s education file, which will be made available to the student’s parent/guardian.

Each staff member involved in an incident will engage in a debriefing session to determine what could have been done to prevent the need for use of physical restraint or seclusion for this student specifically and for other students in similar situations.

### **INCIDENT REPORT REQUIREMENTS:**

The following should be included in the incident report created after each instance of physical restraint or the use of seclusion:

1. Information about the student (i.e., name, grade, etc.).
2. If the student has a disability (IDEA or Section 504), and the type of disability.
3. The date, the start times and end times of the restraint or seclusion.
4. The location of the incident.
5. A description of the incident.
6. A description of the dangerous behavior that resulted in the implementation of physical restraint or seclusion.
7. If applicable, a note that physical restraint or seclusion were not employed due to a psychiatric, medical, or physical condition of the student that would make physical restraint or seclusion dangerous for that student.
8. Possible events that triggered the dangerous behavior that led to the restraint or seclusion.
9. Prevention, redirection, or pre-correction strategies that were used during the incident.
10. A description of the restraint or seclusion strategies that were used during the incident and a log of the student’s behavior during physical restraint or seclusion.
11. A description of any injuries or physical damage that occurred during the incident.
12. How the student was monitored during and after the incident.
13. A description of behaviors displayed demonstrating the student’s ability to return to the educational environment.
14. The staff member(s) who participated in the implementation, monitoring, and supervision of physical restraint or seclusion and whether the person(s) had training related to restraint or seclusion.
15. The extent to which the staff member(s) adhered to the procedural implementation guidelines.
16. The follow-up that will occur to review or develop the student’s positive behavioral interventions and supports in order to avoid the use of restraint or seclusion in the future.
17. The date and time the parent/guardian was notified.

### **NOTICE TO SUPERVISOR:**

When a student is placed in seclusion or restrained, the staff member must notify the building principal and special education director immediately.

## **NOTICE TO PARENT/GUARDIAN:**

The building principal or designee will verbally notify the parent/guardian of a student requiring physical restraint or seclusion as soon as possible and no later than 24-hours following the incident. Verbal notice will include a brief summary of the incident and contact information for the staff member who will provide additional information. The delivery of the notice will be documented by the district.

Verbal notice will be provided via telephone. In the event a staff member is unable to speak directly to the parent via telephone, a message will be left on the individual's voicemail, if available. If unable to reach the parent via telephone or leave a message on voicemail, the staff member will send an e-mail to the parent, if the e-mail address is known. Any message left for the parent/guardian will include a brief summary regarding the incident, contact information for the staff member, and request that the parent/guardian contact the staff member.

The building principal or designee will place a copy of the incident report in the student's education file, which will be made available to the student's parent/guardian.

Parents/guardians will receive written, annual notice about the district's policies and procedures for restraint and seclusion. These policies will be available with other school board policies to all parents electronically via our website or as a hard copy on request.

## **CRISIS INTERVENTION TRAINING:**

Selected teachers and other personnel working directly with students that have been identified as posing a risk of harm to self or others will complete crisis intervention training on the appropriate use of effective alternatives to physical restraint and seclusion, and in cases involving imminent danger of serious physical harm, on the safe use of physical restraint and seclusion. Training in crisis intervention may include, but is not limited to:

- Evidence-based skills training related to positive behavioral interventions and supports, safe physical escort, conflict/crisis prevention, understanding antecedents, de-escalation strategies, and conflict management.
- Evidence-based techniques shown to be effective in the prevention of physical restraint and seclusion, including techniques to identify events and environmental factors that may trigger emergency safety situations.
- Evidence-based techniques shown to be effective in keeping both school personnel and students safe when imposing physical restraint or seclusion.
- Techniques to identify dangerous behaviors, as well as methods for evaluating the risk of harm to determine whether the use of physical restraint or seclusion is warranted.
- The risk of using physical restraint or seclusion in consideration of a student's known and unknown psychiatric, medical, and physical limitations.
- First aid and cardiopulmonary resuscitation (CPR).
- The requirements of this policy and the procedures to be followed in cases of physical restraint and seclusion.

Restraint and seclusion techniques will only be utilized by a person who has been trained in crisis intervention. Other school personnel may employ physical restraint and seclusion procedures only in rare and clearly unavoidable emergency circumstances when fully trained school personnel are not immediately available. Untrained staff should request assistance from trained staff as soon as possible.

## **MONITORING AND REPORTING THE USE OF SECLUSION AND RESTRAINT:**

The special education director will oversee the use of physical restraint and seclusion procedures and ensure compliance with this policy in the district.

The superintendent or designee will comply with all state and federal requirements for reporting incidents of physical restraint or seclusion.

The building principal or designee will oversee the use of physical restraint and seclusion procedures and ensure compliance with this policy within the school.

Legal Reference: Idaho Code Section 33-502, 33-512, 33-1612  
IDAPA Rule 08.02.03.160-161 (August 2010, November 2010)  
U.S. Dept. of Ed., Restraint and Seclusion: Resource Document (2012),  
34 C.F.R. §300.324(a)(2)  
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[www.ed.gov/policy/restraintseclusion](http://www.ed.gov/policy/restraintseclusion)

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