

Guidelines on the Use of Seclusion and Restraint South Carolina Department of Education (SCDE)

Introduction

This document provides guidelines for the development of policies and procedures regarding the practices of seclusion and restraint. These practices often arise during the management of student behavior in emergency and crisis situations, and apply to all students, including students with disabilities.

School-wide Positive Behavioral Interventions and Supports (SWPBIS)

The local educational agency (LEA) should focus on preventing the need for more intense practices including seclusion and restraint. A SWPBIS process provides supports that include proactive strategies for defining, teaching, and supporting appropriate student behaviors to create positive school environments. A continuum of positive behavioral support for all students within a school is implemented in areas including the classroom and non-classroom settings (such as buses, hallways, restrooms, offices, etc.). A SWPBIS process is a scientific, research-based process that includes data-based decision making.

A SWPBIS process focuses on prevention of inappropriate behavior by teaching and reinforcing desirable behavior. This creates a social culture to achieve social and academic gains while minimizing problem behavior for all students. A SWPBIS process is a decision making framework that guides selection, integration, and implementation of scientifically-based academic and behavioral practices for improving academic and behavior outcomes for all students. A SWPBIS process defines practices that all students experience in all parts of the school and at all times of day.

With an emphasis on prevention and data-based decision making, school personnel use the process of SWPBIS to prevent behavior problems, carefully analyze problems that occur, and find additional ways to prevent these issues in the future. A SWPBIS process helps eliminate many incidents that otherwise might escalate to the point of using more extreme interventions and supports, including seclusion and restraint.

Documentation of Safe School Practices

The Model Safe Schools Checklist has been developed in compliance with Section 59-5-65 of the 1976 Code as amended by the General Assembly in 2004, pursuant to Regulation 43-166 adopted by the State Board of Education. Each year the SCDE sends the checklist to all school districts' superintendents for use by the districts, or as a possible guide for developing a local checklist, to assist districts in assessing schools' safety strengths and weaknesses as required by state law. While the checklist does not address seclusion and restraint, districts may choose to develop their local checklist, and include items regarding seclusion and restraint. The current version of the checklist is provided in the Appendix to this document, and is available at http://myschools.com/offices/ssys/safe_schools/sdfsc/.

Directives for the Use of Seclusion

Seclusion is one component of an array of practices known as time out from positive reinforcement, or more commonly referred to simply as time out. For the purposes of these guidelines, seclusion is defined as the involuntary confinement of a student alone in a room or area where the student is prevented from leaving. Because seclusion includes involuntary confinement, it often requires some degree of physical force and/or restraint. For that reason the two issues of seclusion and restraint are often addressed with similar requirements and concerns.

The dangers in the use of seclusion are an increasing concern to parents and educators, both locally and nationally. Many of these concerns stem from the abuse of seclusion within school settings across the country, including instances where students have died or been injured both physically and emotionally during seclusion. Further, the use of seclusion may violate constitutional rights of students, as well as basic human rights. Due to these concerns and the potential abuse of seclusion practices (and the resulting potential for litigation), the SCDE strongly discourages LEAs from placing students in seclusion under any circumstances.

It is important to note that not every removal of a student involves seclusion. Whenever a student is involuntarily confined alone in a room or area where the student is prevented from leaving, this situation is considered to be seclusion, regardless of a different name given to the area. If the student is not alone, it is not seclusion, and if the student is not prevented from leaving, it is not seclusion. For example, instances where the student voluntarily removes him or herself to a private area for the purpose of calming down or de-escalating would not be considered seclusion because the student is not involuntarily confined and not prevented from leaving an area. Two types of time out that these guidelines do not cover include inclusionary time out and exclusionary time out. Inclusionary time out involves situations where the student remains in the classroom; therefore, the student maintains the ability to see and hear classroom instruction (e.g. the student is sent away from his or her desk and to the back of the room). Exclusionary 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. Examples of exclusionary time out include: sending the student to another classroom;

- sending the student to the principal's office;
- sending the student to in-school-suspension; or
- sending the student to detention.

Seclusion time out, sometimes called isolation time out, is the most restrictive form of time out, and there is little evidence supporting its effectiveness in behavior management of students (Ryan, Sanders & Katsiyannis, 2007). The LEAs have other important tools they can utilize when managing difficult student behavior, including the use of positive behavior interventions. As previously noted, positive behavioral interventions and supports have demonstrated efficacy in reducing or eliminating many types of disruptive behaviors school wide, and warrant further investigation regarding their potential for reducing the use of seclusionary procedures in schools (Amos, 2004).

Since South Carolina law does not currently ban the use of seclusion in the public schools, it is the purpose of these guidelines not only to strongly discourage the practice, but to restrict its use to extraordinary circumstances. If LEAs abide by the following guidelines, the perceived need to use seclusion in school settings should greatly diminish. The guidelines are as follows:

- Seclusion should only be used for the management of behavior when the student poses a threat of imminent, serious, physical harm to self and/or others, and the student has the ability to cause such harm.
- Seclusion should never be used as punishment, to force compliance, or as a substitute for appropriate educational support.
- Seclusion should only be used to control behavior when less restrictive measures have not effectively de-escalated the risk of injury.
- Seclusion should never be used as a response to property destruction.
- Seclusion should never be used as a response to verbal threats and profanity that do not rise to the level of physical harm unless that student demonstrates a means of carrying out the threats.
- Use of a locked door on a seclusion room is prohibited (see time out room memorandum in Appendix).
- Seclusion should last only as long as necessary to resolve the actual risk of harm.
- While in seclusion, the student must be observed by staff both visually and audibly during all times.
- Students must be permitted to go to the restroom and drink water if requested during seclusion.
- School personnel must be prepared to act immediately should the student exhibit any signs of medical distress.

For seclusion to be used only in emergency situations and as a last resort, it is essential that proper positive behavioral interventions and de-escalation techniques are utilized beforehand and incidents of seclusion are documented. Therefore, all staff who may implement seclusion must be familiar with positive behavioral interventions and must complete annual conflict de-escalation training. A list of those who have completed training, including a description of the content of that training, must be on file. Each incident of seclusion must be carefully documented. Documentation must include:

- actions attempted prior to seclusion to manage or de-escalate the situation;
- location of the seclusion;
- a clear description of the safety concerns posed to self and/or others;

- names and position titles of personnel involved with the incident;
- the student's behavior before, during, and after seclusion;
- date and time the administrator was notified;
- date and time the student's parent(s) were notified, and by whom;
- name and position of person completing the documentation; and
- amount of time the student was held in seclusion.

Documentation must be kept in the student's educational file and notice sent home to the student's parents by the end of the next school day. An administrator must attempt to contact the student's parent(s) by the parents' preferred method of communication on the day the seclusion occurs. If the administrator is unable to reach the parents, documentation of efforts to reach them must be recorded.

The SCDE further recommends that a staff de-briefing occur the day of the seclusion event, but no later than 24 hours or one school day after every seclusion incident. This de-briefing should include the following:

- All participants involved in the seclusion procedure, an administrator, and at least one other staff member who has expertise in the use of behavioral techniques and who was not involved in the seclusion procedure;
- A focus on antecedent conditions that preceded the behavior of concern, alternate interventions that were used and a discussion concerning why the interventions were unsuccessful in de-escalating the behavior, how this situation could have been handled in such a way to prevent the need for the use of seclusion, and how a similar event could be avoided in the future; and
- A summary of the staff de-briefing must be placed in the administrator's files. Upon request, parents must have access to and an opportunity to review this report.

In an effort to improve its practices, each LEA should devise a system to review and analyze documentation of seclusion incidents quarterly. This information will facilitate the identification of students who are repeatedly being placed in seclusion and schools that are overly using seclusion practices¹

As previously noted, seclusion should be used only in emergency situations; therefore, seclusion should not be listed as an intervention on a Student Assistance Team (SAT) plan, an accommodations plan developed in accordance with Section 504 of the Rehabilitation Act of 1973 (504 plan), an individualized educational program (IEP), or a behavioral intervention plan (BIP). Note that situations where a student voluntarily uses a cool-off area should be treated differently and documented on a student's SAT plan, 504 plan, IEP, or BIP. Repeated use of seclusion with a student may indicate that current supports, educational methodologies, and/or

¹ . Federal legislation is pending that may require federal and/or state reporting of seclusion and restraint practices.

other interventions may be inadequate and should be reviewed and possibly modified. If seclusion is used with a general education student, school staff need to meet and discuss whether the student needs additional supports as might be determined in a Response to Intervention (RTI) tiered supports system, further evaluation is necessary for consideration of eligibility as a student with a disability under either Section 504 or the Individuals with Disabilities Education Act (IDEA) or the student requires a BIP or 504 plan. If seclusion is used with a student with a disability there may be a need to review the student's IEP and/or BIP.

If, despite the SCDE's strong disapproval of the practice, the LEA continues to use seclusion, the LEA must inform all parents about the procedures for using seclusion and when it may be used. An LEA may use a separate document, the school's code of conduct, handbook, or other sources of policy to provide this information. The document must include information about the parents' right to address and resolve concerns regarding the use of seclusion with his or her child (see Appendix for sample documents).

Facility Requirements When Seclusion is Used

1. The Office of School Facilities (OSF) and the State Fire Marshal's Office do not recommend the use of lockable seclusion rooms due to the restrictions on exiting the room they can impose on confined students in the event of an emergency. When an LEA specifically condones the use of seclusion rooms, the following requirements shall be met. All seclusion environments must be inspected regularly, not only by fire or safety inspectors, but for programmatic implementation of detailed state regulations, with violations affecting school accreditation.
2. When seclusion is used the enclosure shall have the same ceiling height as the surrounding room or rooms and be large enough to accommodate not only the student being isolated but also any other individual who is required to accompany that student.
3. The room must 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 it is located.
4. Seclusion rooms shall be constructed of materials that cannot be used by students to harm themselves or others; be free of electrical outlets, exposed wiring, and other objects that could be used by students to harm themselves or others; and be designed so that students cannot climb up the walls, including walls far enough apart so as not to offer the student being isolated sufficient leverage for climbing.
5. Rooms used for seclusion should be a minimum of 8 feet by 8 feet.
6. Seclusion rooms must have an observation window. The window shall be safety glass (not wire glass). If a seclusion area is placed on a rated wall, then the integrity of that wall should be verified by a design professional. The adult responsible for supervising the student must be able to directly observe the student at all times and from any possible viewing angle or area of the seclusion room.

7. Carpet is not acceptable for walls, unless proven to be in compliance with current codes. When used, carpet must be glued to the wall with no exposed framing, not nailed or tacked. Carpet is not permitted for floors or ceilings.
8. It is recommended that such rooms be constructed of (concrete) block to better soundproof, and withstand abuse. Wood and plywood are not permitted, as combustible construction is not allowed in public schools. Minimal construction shall consist of metal studs with impact resistant (cement) board.
9. The only lock mechanism acceptable to the State Fire Marshal's Office are as follows:
 - a. An electromagnetic lock tied into and released by the fire alarm system or loss of power; and
 - b. A hold down type lock that requires an attendant to personally hold down the latch with their hand and releases automatically when the hand is removed.
10. A maximum of five seclusion rooms may be located in any one building. Six or more will require design as an institutional restrained occupancy (jail) (2000 IBC 308.4).
11. Automatic smoke detection shall be provided for the space immediately outside the door leading into the seclusion room. This smoke detection shall be tied into the building's fire alarm system. In sprinklered buildings, the placement of seclusion rooms must not interfere with proper sprinkler coverage. Tamper resistant, institutional type sprinkler heads are available. Open-top seclusion rooms that allow development of the sprinkler spray pattern may also be considered.
12. A school district must have written procedures for use of seclusion rooms, signed by the superintendent, in order to use seclusion rooms (see above, "Directives for the Use of Seclusion").
13. Seclusion rooms may not reduce class sizes below that stipulated by a district's education program. If a classroom will be smaller than that required by the School Facilities Planning and Construction Guide after the addition of a seclusion room, OSF must approve placement of the seclusion room.

Training Requirements for the Use of Seclusion

Please note that seclusion is not a recommended practice. There is no evidence that seclusion is effective as an intervention. The practice of seclusion may increase the likelihood of escalation of behavior, resulting in increased possibility of physical restraint.

If a school uses seclusion, staff must be trained as noted above in de-escalation and restraint skills. Also, staff must be knowledgeable in the practice known as time out from positive reinforcement. This practice assumes that the environment is desirable and positive for the student. All safety issues must be addressed including appropriate locations for seclusion and the continuous presence of a supervising adult.

Directives for the Use of Physical Restraint

Injuries and deaths associated with the ongoing use of physical restraint in school settings have come to the attention of the public along with the concern that these procedures may violate basic human rights. As a result, there is increasing awareness of the abuse of these procedures in school settings by protection and advocacy organizations and parents. Due to these concerns and the potential abuse of restraint practices (and the resulting potential for litigation), the SCDE strongly discourages the use of physical restraint, except in emergency situations (to prevent immediate danger or possible injuries to the student or others in the environment when a student is in crisis).

For the purposes of these guidelines, physical restraint is defined as a personal restriction that immobilizes or reduces the ability of an individual to move his or her arms, legs, or head freely. It includes the holding of a student for any purpose other than providing safety and support. This does not include temporarily holding an individual to help him or her participate in education or daily living activities.

Very little research has been conducted on the prevalence, appropriate applications, or efficacy of physical restraint. Limited data is available concerning the use of physical restraint; how widely it is used or for what purposes; the extent or nature of student, teacher, or staff injuries during restraint; the type of physical restraints that are most commonly used, and the nature and extent of training received by educators and others who apply physical restraint. Because the Elementary and Secondary Education Act (ESEA) and the Individuals with Disabilities Education Act 2004 (IDEA) require all educators to rely on evidence-based practices that are supported by scientific research, it is of great concern that there is almost no research about the intended purpose or outcome of physical restraint when used, let alone whether it achieves that purpose or is effective in achieving the desired outcomes.

Other effective behavioral and educational tools are available for LEAs to use when managing difficult student behavior, including the use of positive behavioral interventions and supports. Among these should be a variety of positive behavioral supports, including establishing and teaching behavioral expectations; recognizing and reinforcing positive behavior; providing mental health services and interventions; utilizing conflict de-escalation techniques; effective collaboration between families and schools; and relying on functional behavioral assessments (FBAs) and BIPs for any student whose behavior indicates a need for intervention.

Since state law does not currently ban the use of physical restraint in the public school environment, it is the purpose of these guidelines not only to strongly discourage the entire practice, but to restrict its use to instances where the student's behavior poses a threat of imminent, serious, physical harm to self and/or others. It is the expectation that if LEAs abide by the following guidelines, the need to utilize physical restraint in school settings should greatly diminish. When physical restraint is used, the following guidelines should be followed:

- Physical restraints to control behavior should only be used when the student's actions pose a clear, present, and imminent physical danger to self and/or others and the student has the ability to cause such harm.

- Physical restraints to control behavior should only be used when less restrictive measures have not effectively de-escalated the risk of injury.
- The physical restraint utilized should last only as long as necessary to resolve the actual risk of danger or harm.
- The degree of force applied may not exceed what is necessary to protect the student or other persons from bodily injury.
- Prone restraints (with the student face down on his or her stomach) or supine restraints (with the student face up on the back) or any maneuver that places pressure or weight on the chest, lungs, sternum, diaphragm, back, neck, or throat are prohibited.
- Physical restraint procedures should never be used as a punishment, to force compliance, or as a substitute for appropriate educational support.
- Physical restraints should never be used for the purpose of managing student behavior, addressing non-compliance, or responding to students running away unless there is imminent risk of injury related to that flight.
- Physical restraints should never be used as a response to property destruction.
- Physical restraints should never be used as a response to a student using profanity or other verbal displays of disrespect for him or herself or others, unless the student demonstrates a means of or intent to carry out the threat.

How Many Personnel Should be Involved in a Physical Restraint Event?

Most restraint protocols describe two forms of restraint. The first is a one-person restraint, and is usually referred to by terms such as basket hold, child restraint, or children's control position. While these positions are, as described, one school personnel holding one student, it is always advisable to have at least one additional adult present to observe the event and be available to assist if needed. Additional personnel may help with managing other individuals in the vicinity, removing potentially dangerous objects, contacting others who may be needed, or other duties to support the safety of both students and personnel.

The second form of restraint is often called team restraint. This procedure involves at least two adults in direct contact with the individual, and one or two others close by to ensure safety and watch for issues and concerns. When physical restraint is used, it is important to manage the presence of others so as not to escalate the situation or create additional safety concerns by the presence of too many onlookers and bystanders.

For physical restraint to be used only in emergency situations and as a last resort, it is essential that proper behavioral interventions and de-escalation techniques are utilized beforehand and incidents of physical restraint are documented. When physical restraint is used, the following guidelines must be followed:

- Staff members who are involved must complete annual training in positive behavioral prevention techniques, de-escalation techniques, and approved physical restraint techniques from an externally-developed professional training program.
- Documentation must be kept in the student's educational file and sent home to the student's parent(s) by the end of the school day.
- An administrator must contact the student's parent(s) by the parents' preferred method of communication on the day the physical restraint occurs.
- If the administrator is unable to reach the parent(s), documentation of efforts to reach them must be recorded.

Each incident of physical restraint must be carefully documented. Documentation must include the following information:

- actions attempted prior to restraint to manage or de-escalate the situation;
- location of the restraint;
- a clear description of the safety concerns posed to self and/or others;
- a description of the physical restraint techniques used;
- names and position titles of the personnel involved with the incident;
- information on what training personnel completed before implementing restraint;
- the student's behavior before, during, and after restraint;
- date and time the administrator was notified;
- date and time the student's parent(s) were notified, and by whom;
- name and position of person completing the documentation; and
- amount of time the student was restrained.

The SCDE further recommends that a staff-debriefing occur the day of the incident, but no later than 24 hours or one school day after every incident of physical restraint. This de-briefing should include the following:

- All participants involved in the restraint situation, an administrator, and at least one other staff member trained in positive behavioral supports, de-escalation, and approved physical restraint techniques, and who was not involved in the restraint procedure;
- A focus on relevant conditions that preceded the behavior of concern, alternate interventions that were used and why they were unsuccessful in de-escalating the behavior, how this situation could have been handled in such a way to prevent the need for the use of restraint, and how a similar event could be avoided in the future; and
- A summary of the staff de-briefing must be placed in the administration's files. Upon request, parents must have access to and an opportunity to review this report.

Each LEA should devise a system to review and analyze documentation of physical restraint incidents quarterly. This information will facilitate identification of students who are

repeatedly being restrained and schools that are overly using restraint practices.² Legislation is pending that may require federal and/or state reporting of seclusion and restraint practices.

² . Federal legislation is pending that may require federal and/or state reporting of seclusion and restraint practices.

Should the Use of Physical Restraint be Written into a Student's IEP or Other Individual Plan?

As previously noted, physical restraint should be used only in emergency situations. Many professionals recommend that restraint should not be listed as an intervention on a SAT report, or on a student's IEP, BIP, or 504 plan. To further explain this perspective, we quote from the National Council for Children with Behavioral Disorders (CCBD) position paper (CCBD, Restraint, July 2009 Page 15 of 21):

“Individualized Education Plans (IEPs), Personal Program Plans (PPPs), and Behavior Intervention Plans (BIPs) reflect plans for educational programming. Physical restraint is regarded as an emergency procedure that should be a part of an emergency or safety plan, not a part of routine programming. As a result, a persuasive argument can be made that physical restraint should not be included as normal intervention in students' IEPs, PPPs, or BIPs. Such inclusion might legitimize physical restraint as part of normal educational programming. Moreover, inclusion of restraint procedures in a student's IEP, PPP, or BIP may imply that it could be used routinely by educators and may often be interpreted by staff members (though wrongfully) that the parent or guardian has provided consent or support for its use by signing the IEP. Neither of these should be the case.”

Other professionals advocate for writing seclusion and/or physical restraint into an individual student's SAT report, IEP, BIP, or 504 plan. If the LEA chooses to write these practices into an individual student's plan, the following guidelines must be followed:

- The use of physical restraint and seclusion complies with the minimum standards of these guidelines.
- The student has a documented history showing a series of behaviors in the preceding 2 years that has created an imminent danger of serious bodily injury in school.
- A comprehensive, data-driven functional behavior assessment has been conducted, and a behavioral intervention plan implemented, by a qualified team of professionals.

Repeated use of physical restraint with a student may indicate that current supports, educational methodologies, and/or other interventions may be inadequate and should be reviewed and possibly modified. If physical restraint is used with a general education student, school personnel need to meet and discuss whether the student needs additional supports as might be determined in a RTI tiered supports system, further evaluation for consideration of eligibility as a student with a disability, or whether the student requires a BIP or 504 plan.

An LEA must inform parents about its procedures for physical restraint and when it may be used. LEAs may use a separate document, the school's code of conduct, school handbook, or other sources of policy to provide this information. The document must include information about the parents' right to address and resolve concerns regarding the use of physical restraint on his or her child (see Appendix for sample document).

Escorting a Student

Escorting is defined as limited physical encouragement to help a student move from one location to another. The escort must not reach the level of physically forcing compliance. The

student must be able to move or not move on their own volition; in these situations the student is willingly responding to the encouragement for movement. Examples of escort techniques include a hand on the back or a hand on the elbow. Gripping any part of the person's body is not considered escorting.

Please note that in some training practices, there are techniques referred to as escorting that are actually versions of **physical restraint**. These techniques are used when, for safety reasons only, it is necessary to move a student from one location to another. In these circumstances the student is moved, with or without their cooperation.

Mechanical Restraints

A mechanical restraint is defined as a device that restricts the movement or function of a child or portion of a child's body. Some examples of a mechanical restraint include, but are not limited to: ties, belts, handcuffs, straps, tape, or in certain instances adaptive equipment such as therapeutic chairs. The use of mechanical restraints in public school settings is prohibited.

Note that this does not prohibit the appropriate use of adaptive equipment. For example, adaptive seating products promote seating alternatives for students with a wide range of neuromuscular and orthopedic disabilities. Use of these chairs with orthopedically-challenged students is a form of therapeutic positioning that enables functional skills while encouraging comfortable engagement in classroom activities.

Adaptive products, such as Rifton chairs or therapeutically prescribed devices (e.g., weighted vests) must be used in accordance with the manufacturer's recommended usage. In no case, should a school official place a child in an adaptive seat in such a manner that constitutes a mechanical restraint. Positioning in an adaptive seat is not to be used to prevent mobility, or as a behavioral consequence. The lack of supervision or of engaging instructional activities, and inadequate staffing are not sufficient reasons to utilize an adaptive product. Note that some devices, e.g. helmets, are used as safety devices for individual students.

Chemical Restraints

Medication for safety or behavioral supports is a medical issue, and must be determined by medical personnel.

Training Requirements for the Use of De-escalation and Restraint

Staff must be trained in a nationally-recognized, externally-developed professional training program. The program should include the following:

- Training conducted by a credentialed trainer;
- An emphasis on prevention of behavior problems through a positive behavioral supports climate;
- An emphasis on conflict prevention and conflict management skills;
- An emphasis on de-escalation skills to enable staff members to respond to students in ways more likely to calm and not escalate the situation;

- Training that includes personal safety skills for those working with students who present safety concerns;
- Awareness training about the physical and emotional risks of escalation and restraint;
- Assessment of skills learned by those trained to ensure appropriate skills are in place;
- A process to review training on at least an annual basis, and more frequently as the needs of the students require;
- A certificate or other credential documenting successful completion of the training; and
- A prohibition on the use of prone restraints (with the student face down on his/her stomach) or supine restraints (with the student face up on the back) or any maneuver that places pressure or weight on the chest, lungs, sternum, diaphragm, back, neck, or throat.

Who Should be Trained?

Schools and LEAs are encouraged to provide de-escalation training for all staff members. In most settings a limited number of personnel require seclusion and physical restraint skills. It is recommended that the school and/or LEA determine which personnel need seclusion and restraint training based on students' needs. In making this determination it is important to train an adequate number of personnel who will be available in the event that seclusion and restraint are employed. Some schools ensure that they have a core team of staff that includes a general education teacher, a special education teacher, an administrator, and a support services staff member. In response to situations where individuals who have not been trained become involved in a seclusion or restraint situation, it is highly recommended that those individuals receive training within thirty days of the event.

The SCDE has provided train-the-trainer training support in de-escalation and restraint for safety purposes, utilizing one of the premier national training models. For information on training, contact the SCDE at 803-734-8224.

Appendix A

Development Team and Process for “Guidelines on the Use of Seclusion and Restraint”

Development Team and Process for “Guidelines on the Use of Seclusion and Restraint”

In early spring 2009 the South Carolina Advisory Council on the Education of Students with Disabilities convened a work group to look at issues related to school safety. Among other topics, the work group developed two position statements on seclusion and restraints. Those papers were completed February 18 and May 6, 2009.

In May 2009 a work group, consisting of various agency personnel throughout the State was formed by the SCDE. The work group was charged with clearly defining the terms physical restraint and seclusion. Specific guidelines regarding physical restraint and seclusion in school settings were developed.

In a letter dated July 31, 2009, to Chief State School Officers, Secretary of Education Arne Duncan wrote “I urge each of you to develop or review and, if appropriate, revise your State policies and guidelines to ensure that every student in every school under your jurisdiction is safe and protected from being unnecessarily or inappropriately restrained or secluded.” In keeping with the request of the Secretary of Education, the resulting document **Guidelines on the Use of Seclusion and Restraint** was completed.

Participants in the development of “**Guidelines on the Use of Seclusion and Restraint**” included the following:

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Appendix B

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Appendix C

The Model Schools Checklist

Current for the 2010-2011 school year

Model Safe Schools Checklist

Purpose

The Model Safe Schools Checklist has been developed in compliance with Section 59-5-65 of the 1976 Code as amended by the General Assembly in 1990, pursuant to Regulation 43-166 adopted by the State Board of Education.

This model checklist is provided for use by school districts, or as a possible guide for developing a local checklist, to assist districts in assessing schools' safety strengths and weaknesses as required by state law.

This document is provided for guidance and assessment purposes only and is not intended to establish standards of preparedness or levels of safety to be met by all school districts.

The South Carolina Department of Education acknowledges with grateful appreciation the assistance provided by the National School Safety Center in preparation of this checklist.

For additional information concerning safe school planning, visit the
South Carolina Center for Safe Schools' Web site at
http://myschools.com/offices/ssys/safe_schools/sdfsc/

Model Safe Schools Checklist

A.	The Existence of a Comprehensive Safety Plan	Yes	No	N/A
	1. An emergency preparedness plan has been developed to address the following emergencies:			
	a. Fire.....	_____	_____	_____
	b. Tornado	_____	_____	_____
	c. Hurricane	_____	_____	_____
	d. Bomb Threat/Explosion.....	_____	_____	_____
	e. School Bus Accident	_____	_____	_____
	f. Intruder	_____	_____	_____
	g. Earthquake	_____	_____	_____
	2. Threats unique to the school (e.g., nuclear accident, hazardous chemical release, train derailment) have been identified and the emergency preparedness plan addresses them.	Yes	No	N/A
	a. _____	_____	_____	_____
	b. _____	_____	_____	_____
	c. _____	_____	_____	_____
B.	Communication of Discipline Policies and Procedures	Yes	No	N/A
	1. Students are made aware of behavioral expectations and school discipline procedures.	_____	_____	_____
	2. Parents are made aware of and acknowledge student behavioral expectations and school discipline procedures.	_____	_____	_____
C.	Intra-Agency and Interagency Emergency Planning	Yes	No	N/A
	1. School emergency plans are coordinated with district emergency plans.	_____	_____	_____
	2. School emergency plans have been developed in cooperation with law enforcement and other emergency response agencies.	_____	_____	_____

D.	Recording of Disruptive Incidents	Yes	No	N/A
	1. Violations of state and federal law that occur on school grounds are reported immediately by school officials to the appropriate law enforcement agencies.	_____	_____	_____
	2. An incident-reporting procedure has been established for all disruptive incidents which take place on school property.	_____	_____	_____
	3. A database is developed from disruptive incident reports, and it is analyzed to identify recurring school safety problems.	_____	_____	_____
E.	Training of Staff and Students	Yes	No	N/A
	1. Training sessions and drills are conducted on a regular basis to test the effectiveness and efficiency of safety plans and procedures.	_____	_____	_____
	2. Parents, students, teachers, and administrators are involved in reviewing school policies and prevention strategies involved in school safety.	_____	_____	_____
	3. Staff training is provided in weapons detection and reporting, and in responding to confrontations when weapons are involved.	_____	_____	_____
	4. Staff training is provided to clarify expectations for reporting and responding to student violence.	_____	_____	_____
	5. Some staff members are trained in first-aid and Cardiopulmonary Resuscitation (CPR).	_____	_____	_____
	6. Staff members are trained by law enforcement or other knowledgeable persons in the interception of and response to intruders.	_____	_____	_____
F.	Assessment of Building and Grounds	Yes	No	N/A
	1. External doors are kept locked where feasible during school hours.	_____	_____	_____
	2. The capability exists to notify all teachers to lock classroom doors in an emergency.	_____	_____	_____
	3. School grounds are properly lighted for night activities.	_____	_____	_____
	4. The capability exists to monitor the main entrance.	_____	_____	_____

	Yes	No	N/A
5. Entrance doors have see-through safety glass.	_____	_____	_____
6. All areas within the building are adequately lighted.	_____	_____	_____
7. Student locker areas can be monitored by school staff.	_____	_____	_____
8. Handrails are provided on stairways.	_____	_____	_____
9. Steps are covered with a non-slip material.	_____	_____	_____
10. Access to electrical panels in all areas is restricted.	_____	_____	_____
11. Mechanical rooms and other hazardous material storage areas are kept locked.	_____	_____	_____
12. Shrubbery and trees permit good visual surveillance of all parts of the school campus.	_____	_____	_____
13. If feasible and potentially effective, the perimeter of the school is fenced in high traffic areas.	_____	_____	_____
14. Visitor parking is clearly marked in a high visibility location as close to the main office as is feasible.	_____	_____	_____
15. A high visibility area has been designated as the pickup/drop-off point for students and staff.	_____	_____	_____
16. Access to bus loading areas by other vehicles is restricted where feasible.	_____	_____	_____
17. Parking areas can be monitored by school staff.	_____	_____	_____
18. Entrances and exits for parking areas are restricted to a minimum number.	_____	_____	_____
G. Procedures for Handling Visitors	Yes	No	N/A
1. Visitors are required to report to the office.	_____	_____	_____
2. A school policy for interception and response to unauthorized persons on campus is established.	_____	_____	_____
3. Signs concerning visitor policy and trespassing are properly displayed at entrances to the campus and buildings.	_____	_____	_____

H.	Assignment of Personnel in Emergencies	Yes	No	N/A
	1. An emergency team has been organized to carry out emergency plans and, if necessary, coordinate post-emergency activities with an external crisis intervention team.	_____	_____	_____
	2. Staff members have been assigned responsibilities to implement all parts of emergency plans.	_____	_____	_____
	3. An individual is designated to be responsible for overall school security procedures.	_____	_____	_____
I.	Emergency Communication and Management Procedures	Yes	No	N/A
	1. The school has emergency telephone capability.	_____	_____	_____
	2. A procedure has been developed to notify bus drivers when emergency evacuation of buildings and grounds is necessary.	_____	_____	_____
	3. In the event of power failure, alarm systems and phones remain operative.	_____	_____	_____
	4. A communication capability between the office and all teaching stations exists.	_____	_____	_____
J.	Transportation Rules and Accident Procedures	Yes	No	N/A
	1. School bus safety rules have been developed and distributed to all students.	_____	_____	_____
	2. Parents have been informed in writing of school bus safety rules.	_____	_____	_____
	3. All students participate in school bus emergency evacuation drills twice yearly.	_____	_____	_____
	4. Safety training is provided for all school bus drivers.	_____	_____	_____
	5. Drivers are trained in school bus discipline policies and procedures.	_____	_____	_____
	6. Accident procedures have been developed and communicated to bus drivers.	_____	_____	_____

7. Passenger lists for all bus routes are maintained at the school site and are updated as changes occur.

8. Route descriptions for field trips are filed in the school office before trips begin.

Yes No N/A

9. Passenger lists are developed and filed in the school office for each vehicle going on a field trip.

10. All students and staff participating in a field trip carry identification with them.

11. Students with medical problems have identification of these problems on them when participating in field trips, or adult supervisors have a written listing of these medical problems.

Appendix D

References

References

Amos, P.A. (2004). New considerations in the prevention of aversives, restraint, and seclusion: Incorporating the role of relationships into an ecological perspective. *Research & Practice for Persons with Severe Disabilities*, 29(4), 263-272.

Council for Children with Behavioral Disorders Position Papers,
Available online at: <http://www.ccbd.net/advocacy/index.cfm?categoryID=668947C8-C09F-1D6F-F9375EDC805102B3>

CCBD'S POSITION SUMMARY ON
The Use of Physical Restraint Procedures in School Settings
Initially Approved by the Executive Committee on 5-17-09
Revised and Approved by the Executive Committee on 7-8-09

CCBD'S POSITION SUMMARY ON
The Use of Seclusion in School Settings
Initially Approved by the Executive Committee on 5-17-09
Revised and Approved by the Executive Committee on 7-8-09

CCBD's POSITION SUMMARY ON
Physical Restraint & Seclusion Procedures in School Settings
Initially Approved by the Executive Committee on 5-17-09
Revised and Approved by the Executive Committee on 7-8-09

Manual of Recommended Practice: Project REST – Restraint: Efficacy, Safety and Training
Available online at www.frdsn.org

Ryan, J.B., Sanders, S., Katsiyannis, A. & Yell, M. L. (2007). Using time out effectively in the classroom. *Teaching Exceptional Children*, 39(4), 60-67.

Appendix E

Sample Forms

The Application of Physical Restraint and/or

Documentation and Debriefing Form

Incidents of Seclusion and/or Physical Restraint

THE APPLICATION OF PHYSICAL RESTRAINT AND/OR SECLUSION

ADDENDUM TO THE BEHAVIOR INTERVENTION PLAN FOR _____

Physical Restraint and/or Seclusion refer to techniques used to control or suppress the movement of a student to ensure the safety of that student and any others in the immediate area. Below are considerations for the educational team should all other positive behavior supports and deescalating behavioral techniques fail to avert the use of Physical Restraint and/or Seclusion with this student. Check all that apply:

- Use of Physical Restraint to exclude approved child holds and escorts
- Use of Seclusion

Potential risk factors for harm arising from the Physical Restraint and/or Seclusion of this student (e.g. medical conditions, emotional, and/or physical factors, etc.) List:

School personnel applying any Physical Restraint procedures are currently trained in the use of Physical Restraint. Check one. Yes No

If yes, list the method(s) and date(s) of training. _____

If no, record the plan for training in use of Physical Restraints. _____

If seclusion is used, will the student have the ability to leave the area voluntarily? _____

If not, explain the conditions. _____

If Physical Restraint and/or Seclusion are used, a written report must be submitted within one day to the school and district administration. The school principal or designee shall verbally attempt to notify the parents as soon as possible but no later than the end of the day that Physical Restraint and/or Seclusion was used. A written report shall be mailed, E-mailed, or faxed to the parent within thirty-six hours following the use of Physical Restraint and/or Seclusion and a copy placed in the student's confidential file.

If more than _____ incident(s) of Physical Restraint and/or Seclusion occurs, the team will meet to reevaluate the Behavior Intervention Plan within ____ school days.

Parent and LEA Sign and Date:

Note: If concerns exist, please consult with the SC Department of Education Ombudsman (general education students: 803-734-8485; special education students: 803-734-2833).

Documentation and Debriefing Form
Incidents of Seclusion and/or Physical Restraint

**INCIDENT REPORT
RESTRAINT**

CIRCLE: SECLUSION PHYSICAL

STUDENT _____ LOCATION/DATE/TIME BEGAN & ENDED _____

NAMES AND TITLES OF PERSONNEL INVOLVED _____

WERE ALL STAFF TRAINED AS REQUIRED FOR SECLUSION AND/OR RESTRAINT? _____

IF NO, DESCRIBE PLAN TO COMPLETE TRAINING WITHIN 30 DAYS OF THE EVENT _____

DESCRIBE THE INCIDENT _____

LESS RESTRICTIVE ACTIONS ATTEMPTED PRIOR TO THE INCIDENT _____

SAFETY CONCERNS POSED TO SELF AND/OR OTHERS _____

DESCRIBE THE SECLUSION AND/OR RESTRAINT TECHNIQUES USED _____

DESCRIBE THE STUDENT'S BEHAVIOR BEFORE, DURING, AND AFTER THE
INCIDENT _____

WHICH ADMINISTRATOR WAS NOTIFIED, AND WHEN? _____

PARENT NOTIFICATION: WHO/WHEN/HOW/COPY OF REPORT SENT
HOME/RESULTS _____

DOCUMENTATION PLACED IN STUDENT FILE? _____

DEBRIEFING REPORT

WHO PARTICIPATED (REQUIRED: participants involved in the incident, an administrator, and at least one other staff member trained in positive behavioral supports, de-escalation, and approved physical restraint techniques, and who was not involved in the restraint procedure)_____

RELEVANT CONDITIONS PRECEDING THE INCIDENT _____

DID ANYTHING DE-ESCALATE THE INCIDENT? _____

DID ANYTHING ESCALATED THE INCIDENT _____

HOW MIGHT THIS SITUATION BE PREVENTED IN THE FUTURE? _____

NAME & POSITION OF PERSON COMPLETING THIS FORM _____

DATE & TIME COMPLETED _____

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