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## Citizens of the World Charter Schools-Kansas City

### Policy on Seclusion and Restraint

According to Missouri Law (*RSMo 160.263*) school districts in the State of Missouri have to develop a policy on the use of seclusion and restraint, as well as other responses to emergency or crisis situations, in which student and/or educator safety is at risk. This policy is based on the premise that seclusion, isolation, and restraint are used only in response to emergency or crisis situations. Through this adoption of this policy, the Board of Education expects to:

- Promote safety and prevent harm to students, school personnel and visitors in the school district.
- Foster a climate of dignity and respect in the use of discipline and behavior-management techniques.
- Provide school personnel with clear guidelines about the use of seclusion, isolation and restraint in response.
- Provide parents/guardians information about state guidelines and district policies related to the use of discipline, behavior management, behavior interventions and responses to emergency situations.
- Promote the use of nonaversive behavioral interventions, including positive behavioral support techniques.

### Use of Restrictive Behavioral Interventions

**Time-Out:** Nothing in this section is intended to prohibit the use of time-out as defined in this section.

**Use of Aversive Interventions:** Aversive interventions will only be used in accordance with this policy, district personnel shall **never** use aversive interventions that compromise the health and safety.

**Seclusion:** Seclusion as defined in this section is prohibited except for an emergency situation while awaiting the arrival of law enforcement personnel as provided for in *RSMo 160.263*.

### **Isolation:**

Isolation may only be used:

- After de-escalating procedures have failed.
- In an emergency situation as defined in this section.
- When less restrictive measures have not effectively de-escalated the situation and the school has a plan for how to respond in such situations, or
- With parental approval, as specified in a student's Individualized Education Program (IEP), Section 504 plan, or Behavior Intervention Plan (BIP).
- Isolation shall **never** be used as a form of punishment or for the convenience of district personnel.

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*Use of isolation requires all of the following:*

- The student to be monitored by an adult in close proximity who is able to see and hear the student at all times.
- Monitoring shall be face-to-face unless personal safety is significantly compromised in which case technology-supported monitoring may be utilized.
- The total time in isolation is to be reasonably calculated based on the age of the child and circumstances, and is not to exceed 40 minutes without a reassessment of the situation and consultation with parents and/or administrative staff, unless otherwise specified in an IEP, Section 504 Plan or other parentally agreed-upon plan to address a student's behavior.
- The space in which the student is placed should be a normal-sized meeting or classroom commonly found in a school setting.
- The space in which the student is confined is comparable in lighting, ventilation, heating, cooling, and ceiling height to those systems that are in use in other places in the school.
- The space in which the student is placed must be free of objects that could cause harm.
- Isolation shall **never** be used as a form of punishment or for the convenience of school personnel.

### **Physical Restraint**

Physical restraint shall only be used:

- In an emergency situation.
- When less restrictive measures have not effectively de-escalated the situation and the school has a plan for how to respond in such situations.
- When otherwise specified in an IEP, Section 504 Plan, Behavior Intervention Plan (BIP) or other parentally agreed-upon plan to address a student's behavior.
- For as long as necessary to resolve the actual risk of danger or harm that warranted the use of physical restraint.
- Use no more than the degree of force necessary to protect the student or other persons from imminent bodily injury.
- Not place pressure or weight on the chest, lungs, sternum, diaphragm, back, neck or throat of the student which restricts breathing.
- Only be done by school personnel trained in the proper use of restraint.

*Any school personnel using physical restraint shall:*

- Use methods of restraint in which the person has received district approved training.
- Conduct restraint with at least one additional adult present and in line of sight unless other school personnel are not immediately available due to the unforeseeable nature of the emergency situation.

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- Physical restraints should never be used as a form of punishment or for the convenience of school personnel.

### **Mechanical Restraint**

Mechanical restraint shall only be used:

- As specified in a student's IEP, Section 504 plan or Behavior Intervention Plan (BIP) with two exceptions:
- Vehicle safety restraints shall be used according to state and federal regulations.
- Mechanical restraints employed by law enforcement officers in school settings should be used in accordance with their policies and appropriate professional standards.

### **Chemical Restraint**

- Chemical restraints shall **never** be used by school personnel.
- Aversive interventions that compromise health and safety shall **never** be used by school personnel.

### **Communication and Training:**

#### **School Personnel Debriefing**

Following any emergency situation involving the use of seclusion, isolation or restraint, a debriefing shall occur as soon as possible but no later than the end of the employee's shift the day of the emergency situation. The debriefing shall include, at a minimum, a discussion of the events that led to the emergency and why the de-escalation efforts were not effective; any trauma reactions on the part of the student, other students or school personnel; what, if anything, could have been done differently; an evaluation of the process, and a signed Unusual Incident Report (UIR).

#### **Parental Notification**

*Except as otherwise specified in a student's IEP, Section 504, or Behavior Intervention Plan*

- Following an emergency situation involving the use of seclusion, isolation or restraint the parent or guardian of the student shall be notified through verbal or electronic means of the incident as soon as possible, but no later than the end of the day of the incident.
- Parent or guardian shall receive a written report of the emergency situation within five (5) school days of the incident.

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- The written incident report shall include all of the following: Date, time of day, location, duration, and description of the incident and interventions. Event(s) that led up to the incident.
- Nature and extent of any injury to the student.
- Name of a school employee the parent or guardian can contact regarding the incident.
- Plan to prevent the need for future use of seclusion, isolation or restraint.

### **Positive Behavior Supports:**

The Executive Director or Building Principal is responsible for implementing district-wide use of appropriate positive behavior supports designed to support or alter behavior in all students.

### **School Personnel Training**

Citizens of the World Charter Schools-Kansas City shall ensure that all school personnel are trained annually and know the policy and procedures involving the use of seclusion, isolation and restraint.

**Tier 1:** The Executive Director or Building Principal shall ensure that all district personnel are trained annually and know the policy and procedures involving the use of seclusion, isolation and restraint.

### **Tier 2:**

- A continuum of prevention techniques.
- Environmental management techniques.
- A continuum of de-escalation techniques. Information about the policy.

**Tier 3:** In addition to the training provided to all district personnel (Tier 1) and instructional personnel (Tier 2), those staff member who are authorized to utilize seclusion, isolation and restraint will also receive annual training in:

- De-escalation practices.
- Appropriate use of physical restraint.
- Professionally-accepted practices in physical management and use of restraints. Methods to explain the use of restraint to the student who is to be restrained and to the individual's family.
- Appropriate use of isolation.
- Appropriate use of seclusion. Information on the policy and appropriate documentation and notification procedures.

### **Students with Disabilities:**

If the IEP or Section 504 plan of the student with a disability includes seclusion, isolation, restraint, or aversive behavior intervention:

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- The IEP or Section 504 plan must specify the conditions under which seclusion, isolation, restraint, and aversive behavior interventions may be used
- The IEP or Section 504 plan must include steps to eliminate the need for the use of seclusion, isolation, restraint or aversive behavior intervention.
- Any use of seclusion, isolation, restraint, or aversive behavior intervention must be limited to what is set forth in the IEP or Section 504 plan.

### **Reports on Use of Seclusion, Isolation, Restraint or Aversive Behavior Interventions Citizens of the World Charter Schools-Kansas City**

The Executive director or Building Principal shall maintain records documenting the use of seclusion, isolation, restraint and aversive behavior interventions showing when; reason for use, duration, names of school personnel involved, whether students or school personnel were injured, name and age of the student, whether the student has an IEP, Section 504, Behavior Intervention Plan (BIP) or personal safety plan, when the parents were notified, if the student was disciplined, and any other documentation required by federal or state law. Applicability of this policy applies to all Citizens of the World Charter Schools-Kansas City personnel.

#### **Definitions:**

**Assistive Technology Device-** Any item, piece of equipment or product system that is used to increase, maintain or improve the functional capacities of a student with a disability.

**Aversive Behavioral Intervention or Aversive Intervention-** An intervention that is intended to inflict pain or discomfort upon a student for the purpose of eliminating or reducing maladaptive behaviors, including such interventions as: contingent application of noxious, painful or intrusive stimuli or activities; any form of noxious, painful or intrusive spray, inhalant or tastes; or other similar interventions. The term does not include such interventions as voice control limited to loud, firm commands; time-limited ignoring of a specific behavior; token fines as part of a token economy system; brief physical prompts to interrupt or prevent a specific behavior; interventions medically necessary for the treatment or protection of the student; or other similar interventions. Corporal punishment administered in accordance with state law is not an aversive intervention for the purpose of this policy.

**Behavioral Intervention** – An individualized instructional and environmental support that teaches students appropriate behaviors to replace problem behaviors. Behavioral interventions are guided by a functional behavioral assessment that identifies the communicative intent of problem behavior and takes into consideration any known medical, developmental or psychological limitations of the student.

**Behavior Intervention Plan (BIP)** – A plan that sets forth specific behavior interventions for a specific student who displays chronic patterns of problem behavior.

**Behavior Management** – Comprehensive, schoolwide procedures applied in a proactive manner that constitute a continuum of strategies and methods to support and/or alter behavior in all students.

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**Chemical Restraint** – Administration of a drug or medication to manage a student’s behavior that is not a standard treatment and dosage for the student’s medical condition.

**Confinement** – The act of preventing a student from leaving an enclosed space.

**Discipline** – Consequences for violating the district’s student code of conduct.

**Emergency Situation** – A situation in which a student’s behavior poses a serious, probable threat of imminent physical harm to self or others or destruction of property.

**Functional Behavior Assessment** – A formal assessment to identify the function or purpose the behavior serves for the student so that classroom interventions and behavior support plans can be developed to improve behavior. The assessment could include observations and charting of the behavior and interviews with family, teachers and the student to determine the frequency, antecedent and response of the targeted behavior.

**Instructional Staff** – School staff who work directly with students in the classroom, including but not limited to, administrators, teachers, paraprofessionals and focus room facilitators.

**Individualized Education Program (IEP)** – A student’s Individualized Education Program as defined by the Individuals with Disabilities Education Act (IDEA).

**Isolation** – The confinement of a student alone in an enclosed space that either, a) does not have locking hardware or, b) has locking hardware that requires the presence of an adult to operate. This hardware must be designed to disengage should the adult leave the vicinity. Isolation does not include supervised in-school suspension, detention or time-out used as disciplinary consequences in accordance with the district’s student discipline code.

**Law Enforcement Officer** – Any public servant having both the power and duty to make arrests for violations of the laws of this state.

**Locking Hardware** – Mechanical, electrical or other material devices used to lock a door or to prevent egress from a confined area.

**Mechanical Restraint** – A device or physical object that the student cannot easily remove that restricts a student’s freedom of movement or normal access to a portion of his or her body. This includes, but is not limited to: straps, duct tape, cords or garments. The term does not include assistive technology devices.

**Physical Escort** – The temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a student who is acting out or eloping to walk to a safe location.

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**Physical Restraint** – The use of person-to-person physical contact to restrict the free movement of all or a portion of a student’s body. It does not include briefly holding a student without undue force for instructional or other purposes, briefly holding a student to calm the student, taking a student’s hand to transport him or her for safety purposes, physical escort, intervening in a fight or carrying a small child when developmentally appropriate to do so.

**Positive Behavior Supports** – A range of instructional and environmental supports to teach students pro-social alternatives to problem behavior and allow them multiple opportunities to practice pro-social skills and receive high rates of positive feedback.

**Restraint** – See the definitions for *chemical restraint*, *mechanical restraint* and *physical restraint*.

**School or District Employee or Personnel** – Any person employed by the district, volunteering for the district or performing services on behalf of the district or at the direction of the district. "School or District Employee or Personnel" may include persons working with students as independent contractors or on behalf of an independent contractor, or persons employed by another agency who are providing educational or related services to students.

**Seclusion** – The confinement of a student alone in an enclosed space from which the student is physically prevented from leaving by locking hardware that does not require the presence of an adult to operate. That is, the locking hardware remains engaged even when an adult leaves the vicinity.

**Section 504 Plan** – A student’s individualized plan as defined by Section 504 of the Rehabilitation Act of 1973.

**Time-Out** – Brief removal from sources of positive reinforcement that does not meet the definition of seclusion or isolation. The purpose of time-out is to separate the student from the attention of staff and other students.