

V. Positive Behavior Intervention and Supports

A. Every student deserves to be treated with dignity, be free from abuse, and treated as a unique individual with individual needs, strengths, and circumstances. The school shall implement an evidence-based school wide system or framework of positive behavioral interventions and supports.

B. Education environments shall be structured to greatly reduce, and in most cases eliminate, the need to use restraint or seclusion. Positive Behavior Intervention and Supports (PBIS) creates structure to the environment using a non-aversive effective behavioral system. It is a decision making framework that guides selection, integration, and implementation of evidence-based academic and behavioral practices for improving important academic and behavior outcomes for all students.

C. The PBIS prevention-oriented framework or approach applies to all students, all staff, and all settings. Research supports the conclusion that PBIS, when integrated with effective academic instruction, provides the support students need to become actively engaged in their own learning and academic success.

D. Components of a system of Positive Behavior Intervention and Supports include:

1. Trained school staff to identify conditions such as:

a. Where, under what conditions, with whom and why specific inappropriate behavior may occur.

b. Preventative assessments should include:

i. A review of existing data,

ii. Interviews with parents, family members and students and

iii. Examination of previous and existing behavioral intervention plans.

c. With the analysis of these data the school shall develop and implement preventative behavioral interventions and teach appropriate behavior.

i. Modify the environmental factors that escalate the inappropriate behavior.

ii. Support the attainment of appropriate behavior.

iii. Use verbal de-escalation to defuse potentially violent dangerous behavior.

2. The school shall establish a system that will support students' efforts to manage their own behavior; implement instructing techniques in how to self-manage behavior, decrease the development of new problem behaviors; prevent worsening

of existing problem behaviors; redesign learning/teaching environments to eliminate triggers and maintainers of problem behaviors. The system should include family involvement as an integral part of the system.

VI. Prohibited Practices:

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

- A. Prone restraint as defined in Executive Order 2009-13S;
- B. Corporal punishment;
- C. Child endangerment as defined in R.C. 2919.22;
- D. Seclusion or restraint of preschool students in violation of the provisions of Ohio Adm. Code Rule 3301-37-10(D);
- D. The deprivation of basic needs;
- F. Restraint that unduly risks serious harm or needless pain to the student, including the intentional, knowing, or reckless use of any of the following techniques:
 - 1. Using any method that is capable of causing loss of consciousness or harm to the neck or restricting respiration in any way,
 - 2. Pinning down with knees to torso, head and/or neck,
 - 3. Using pressure points, pain compliance and joint manipulation techniques,
 - 4. Dragging or lifting of the student by the hair or ear or by any type of mechanical restraint,
 - 5. Using other students or untrained staff to assist with the hold or restraint, or
 - 6. Securing a student to another student or to a fixed object;
- G. Mechanical or chemical restraints (which does not include devices used by trained school personnel, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed, or medication administered as prescribed by a licensed physician);
- H. Aversive behavioral interventions; or
- I. Seclusion of students in a locked room.

VII. Restraint

A. The use of prone restraint, physical restraint that obstructs the airway of a student, or any physical restraint that impacts a student's primary mode of communication is prohibited.

B. Physical restraint may be used only when there is an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible, and only in a manner that is age and developmentally appropriate. School personnel may use physical restraint only in accordance with local policy and the requirements of this policy.

C. If physical restraint is used, staff must:

1. Be appropriately-trained to protect the care, welfare, dignity, and safety of the student;
2. Continually observe the student in restraint for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
3. Use verbal strategies and research based de-escalation techniques in an effort to help the student regain control;
4. Remove the student from physical restraint immediately when the immediate risk of physical harm to self or others has dissipated;
5. Conduct a de-briefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and .
6. Complete all required reports and document staff's observations of the student.

D. If a student repeatedly engages in dangerous behavior that leads to instances of restraint and/or seclusion, the school shall conduct a functional behavioral assessment to identify the student's needs and more effective ways of addressing those needs. If necessary, this functional behavioral assessment should be followed by a behavioral intervention plan that incorporates appropriate positive behavioral interventions.

VIII. Seclusion

A. Seclusion may be used only when there is an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible. Seclusion shall never be used as a punishment or to force compliance. Seclusion should only be used in a manner that is age and developmentally appropriate. School personnel may use seclusion only in accordance with local policy and the requirements of this policy.

B. Seclusion is a last resort safety intervention that provides an opportunity for the student to regain self-control.

C. A room or area used for seclusion must:

1. provide for adequate space, lighting, ventilation, clear visibility and the safety of the student; and
2. not be locked.

D. Seclusion shall not be used:

1. for the convenience of staff;
2. as a substitute for an educational program;
3. as a form of discipline/punishment;
4. as a substitute for less restrictive alternatives;
5. as a substitute for inadequate staffing;
6. as a substitute for staff training in positive behavior supports and crisis prevention and intervention; or
7. as a means to coerce, retaliate, or in a manner that endangers a student.

E. If seclusion is used, staff must:

1. Be appropriately trained to protect the care, welfare, dignity, and safety of the student;
2. Continually observe the student in seclusion for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
3. Use verbal strategies and research based de-escalation techniques in an effort to help the student regain control as quickly as possible;
4. Remove the student when the immediate risk of physical harm to self or others has dissipated;
5. Conduct a de-briefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and
6. Complete all required reports and document their observation of the student.

F. If a student repeatedly engages in dangerous behavior that leads to instances of restraint and/or seclusion, the school shall conduct a functional behavioral assessment to identify the student's needs and more effective ways of addressing those needs. If necessary, this functional behavioral assessment should be followed by a behavioral intervention plan that incorporates appropriate positive behavioral interventions.

IX. Training and Professional Development

The school shall have a plan regarding the training of its staff in accordance with this policy, and must maintain written or electronic documentation on training provided and lists of participants in each training. Training shall include the following components:

A. All student personnel shall be trained annually on the requirements of this policy, Ohio Adm. Code 3301-35-15, and the district's policies and procedures regarding restraint and seclusion.

B. The school shall ensure that an adequate number of personnel are trained in crisis management and de-escalation techniques, and that their training is kept current in accordance with the requirements of the provider of the training.

X. Required Data and Reporting

Each use of seclusion or restraint shall be documented in writing and reported to the building administration immediately; reported to the parent immediately; and documented in a written report. A copy of the written report shall be made available to the parent or guardian within 24 hours, and the school shall maintain a copy of the report in the student's file. These reports are educational records subject to the Family Educational Right to Privacy Act, and a school is prohibited from releasing any personally identifiable information to anyone other than the parent, in accordance with the requirements of that Act.

Every school shall report information concerning its use of restraint and seclusion annually to the Ohio Department of Education as requested by the Ohio Department of Education.

XI. Monitoring and Complaint Processes

The school shall make its records concerning restraint and seclusion available to staff from the Ohio Department of Education upon request.

A. School Monitoring and Complaint Procedures

To ensure that practices are implemented as set forth in this policy, the school shall:

1. Provide a procedure for a parent to present written complaints to the school leader to initiate a complaint investigation by the school regarding an incident of restraint or seclusion; and
2. Respond to the parent's complaint in writing within thirty (30) days of the filing of a complaint regarding an incident of restraint or seclusion.

B. Availability of IDEA Complaint Process to Students with Disabilities

The parent of a student with a disability may choose to file a complaint with the Ohio Department of Education, Office for Exceptional Children, in accordance with the complaint procedures available concerning students with disabilities. In accordance with the consent order entered in *Doe v. State of Ohio*, complaints alleging the improper use of restraint or seclusion on a student with a disability will be investigated by the Ohio Department of Education, Office for Exceptional Children, if the complaint otherwise falls within the procedures concerning state complaints under IDEA as set forth in Ohio Adm. Code Rule 3301-51-05(K)(4)-(6). Complaints alleging injuries to a student with a disability or the use of restraints or seclusion shall not be deemed insufficient on the face of the complaint if they are framed within the context of IDEA, including:

- A pattern of challenging behaviors that are related to the student's disability;
- Whether the student has had or should have had a functional behavioral assessment (FBA) and a positive behavior support plan (PBSP);
- Whether the FBA and PBSP are appropriate;
- Whether the student's behavior and interventions are addressed or should have been addressed in the IEP; and
- Whether staff has been sufficiently trained in de-escalation and restraint techniques.

Physical Restraint Documentation Form

Student Name _____ Date of Incident _____

Time incident began _____ Time incident ended _____

Location of incident:

School personnel involved in incident:

Describe the student's activity and behavior immediately preceding the behavior that prompted the use of physical restraint:

Describe efforts of school personnel to de-escalate the situation, and alternatives to physical restraint that were utilized prior to physical restraint:

Provide a description of the physical restraint utilized:

Describe the actions of the student and school personnel that occurred during the physical restraint:

Describe observed student and school employee behaviors that followed the physical restraint:

Describe de-escalation techniques and interventions utilized following the physical restraint:

Describe any injuries to the student or school employees:

Describe future alternatives to physical restraint that will be utilized:

Signature of person completing form _____ Date _____

Signature of witness: _____ Date _____ __ agree __ *Disagree

Signature of witness: _____ Date _____ __ agree __ *Disagree

Signature of witness: _____ Date _____ __ agree __ *Disagree

*Team members who disagree may submit separate statements presenting their conclusions (complete comment form as necessary). _____

Time and type of Notification to Parent or Guardian _____ By whom _____

Time and type of Notification to Building Administrator _____ By whom _____

Date this information was provided to parent _____ By whom _____

Findings of debriefing meeting:

Signature: _____ Date _____ __ agree __ *Disagree

Signature: _____ Date _____ __ agree __ *Disagree

Signature: _____ Date _____ __ agree __ *Disagree

Signature: _____ Date _____ __ agree __ *Disagree

Signature: _____ Date _____ __ agree __ *Disagree

Signature: _____ Date _____ __ agree __ *Disagree

Signature: _____ Date _____ __ agree __ *Disagree

*Team members who disagree may submit separate statements presenting their conclusions (complete comment form as necessary).

(If parents/guardians did not attend the de-briefing meeting, explain other methods to ensure parent/guardian participation and/or child as appropriate - conference call, videoconference, home visit, etc.)

Seclusion Documentation Form

Student Name _____ Date of Incident _____

Time incident began _____ Time incident ended _____

Location of incident:

School personnel involved in incident:

Describe the student's activity and behavior immediately preceding the behavior that prompted the use of seclusion:

Describe efforts of school personnel to de-escalate the situation, and alternatives that were utilized prior to seclusion:

Provide a description of the seclusion:

Describe the actions of the student and school personnel that occurred during the use of seclusion:

Describe observed student and school employee behaviors that followed the use of seclusion:

Describe de-escalation techniques and interventions utilized following the use of seclusion:

Describe any injuries to the student or school employees:

Describe future alternatives to seclusion that will be utilized:

Signature of person completing form _____ Date _____

Signature of witness: _____ Date _____ __ agree __ *Disagree

Signature of witness: _____ Date _____ __ agree __ *Disagree

Signature of witness: _____ Date _____ __ agree __ *Disagree

*Team members who disagree may submit separate statements presenting their conclusions (complete comment form as necessary). _____

Time and type of Notification to Parent or Guardian _____ By whom _____

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Findings of debriefing meeting:

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Signature: _____ Date _____ __ agree __ *Disagree

Signature: _____ Date _____ __ agree __ *Disagree

Signature: _____ Date _____ __ agree __ *Disagree

Signature: _____ Date _____ __ agree __ *Disagree

Signature: _____ Date _____ __ agree __ *Disagree

Signature: _____ Date _____ __ agree __ *Disagree

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(If parents/guardians did not attend the de-briefing meeting, explain other methods to ensure parent/guardian participation and/or child as appropriate - conference call, videoconference, home visit, etc.)