

## **Use of Restraint and Seclusion\*\***

### **General Guidelines**

1. Training programs used for physical restraint and seclusion will be: Safety First Curriculum for the ESD Early Intervention/Early Childhood Special Education Program (EI/ECSE) and the Crisis Prevention Institute Training (CPI) for all other ESD programs.
2. Parents will be provided verbal or electronic notification by the school staff following the use of physical restraint or seclusion by the end of the day on which the incident occurred.
3. Parents will be provided written documentation of the incident within 24 hours that provides:
  - a. A description of the physical restraint and/or seclusion;
  - b. The date of the physical restraint or seclusion;
  - c. The time the physical restraint or seclusion began and ended, and the location;
  - d. A description of the student's activity that prompted the use of physical restraint or seclusion;
  - e. The efforts used to de-escalate the situation and the alternatives to physical restraint or seclusion that were attempted;
  - f. The names of the personnel of the public education program who administered the physical restraint or seclusion;
  - g. A description of the training status of the personnel who administered the physical restraint or seclusion, including any information that may need to be provided to the parent or guardian; and
  - h. Timely notification of a debriefing meeting to be held and of the parent's or guardian's right to attend the meeting.
4. If the physical restraint or seclusion was administered by a person without training the ESD will provide that information along with the reason why a person without training administered the physical restraint or seclusion.
5. A building administrator will be notified as soon as practicable whenever physical restraint and/or seclusion has been used;
6. If physical restraint or seclusion continues for more than 30 minutes the student must be provided with adequate access to bathroom and water every 30 minutes. If physical restraint or seclusion continues for more than 30 minutes, every 15 minutes after the first 30 minutes an administrator for the public education program must provide written authorization for the continuation of the physical restraint or seclusion, including providing documentation for the reason the physical restraint or seclusion must be continued. Whenever physical restraint or seclusion extends beyond 30 minutes, personnel of the ESD will immediately attempt to verbally or electronically notify a parent.

7. An ESD Physical Restraint and/or Seclusion Incident Report must be completed and copies provided to those attending the debriefing meeting for review and comment;
8. A documented debriefing meeting must be held within two school days after the use of physical restraint and/or seclusion; staff members involved in the intervention must be included in the meeting. The debriefing team shall include a program administrator. Written notes shall be taken and a copy of the written notes shall be provided to the parent or guardian of the student.

**The completed Physical Restraint and/or Seclusion Incident Report Form shall include the following:**

1. Name of the student;
2. Name of staff member(s) administering the physical restraint or seclusion;
3. Date of the physical restraint or seclusion, and the time the physical restraint or seclusion began and ended;
4. Location of the physical restraint or seclusion;
5. A description of the physical restraint or seclusion;
6. A description of the student's activity immediately preceding the behavior that prompted the use of physical restraint or seclusion;
7. Efforts to de-escalate the situation and alternatives to physical restraint or seclusion that were attempted;
8. Information documenting parent contact and notification; and
9. A summary of the debriefing meeting held.

**Physical restraint/seclusion as a part of a behavioral support plan in the student's Individual Education Program (IEP) or section 504 plan.**

1. Parent participation in the plan is required;
2. The IEP team that develops the behavioral support plan shall include knowledgeable and trained personnel, including a behavioral specialist and a ESD representative who is familiar with the physical restraint training practices adopted by the ESD;
3. Prior to the implementation of any behavioral support plan that includes physical restraint and/or seclusion a functional behavioral assessment must be completed. The assessment plan must include an individual threshold for reviewing the plan;

4. When a behavior support plan includes physical restraint or seclusion the parents will/may be provided a copy of the ESD Physical Restraint and/or Seclusion policy at the time the plan is developed.

**Use of physical restraint and/or seclusion in an emergency by ESD administrator, staff or volunteer to maintain order or prevent a student from harming his/herself, other students, ESD staff or property:**

Use of physical restraint and or seclusion under these circumstances with a student who does not have physical restraint and/or seclusion as a part of their IEP or 504 plan is subject to all of the requirements established by this administrative regulation with the exception of those specific to plans developed in an IEP or a 504 plan, 3.(a.), (b.), 9c.) (d.).

\*\*As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005(4) and 125.300 – 125.325. The determination of whether an individual is acting in a parental relationship, for purposed of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to who rights have been transferred and foster parent as defined in OAR 581-015-200.