

SECLUSION AND RESTRAINT IN SCHOOLS

I. General Statement of Policy

It is the policy of Sweetwater County School District Number One, State of Wyoming (“the District”) to regulate the use of seclusion and restraint with students pursuant to W.S. §21-2-202(a)(xxxii), W.S. §21-3-110(a)(xxxi) and Chapter 42 of the Wyoming Department of Education Rules (hereinafter “Rules”). This policy shall govern all regulated use of seclusion and restraint.

It is the practice of the District to select and utilize the least restrictive behavioral interventions. In compliance with applicable Federal and State law, the District has prepared this procedure to provide administrators, teachers, staff, and parents or legal guardians with specific guidelines for the use of seclusion and restraint.

II. Definitions

All definitions used in this policy shall be consistent with the definitions in the Rules. For the purpose of clarity, the definitions are restated here:

(a) “Appropriate Disciplinary Measures” includes classroom, school-wide, and/or district-wide plans for student conduct adopted pursuant to a school policy promulgated under the authority of W.S. §21-4-308 or other appropriate authority.

(b) “Appropriately Trained Professional” or “Professional Team” includes individuals who are appropriately licensed, trained, and knowledgeable regarding the acceptable use of assistive or protective devices consistent with recognized professional standards and manufacturers’ instructions.

(c) “Assistive or Protective Device” means any item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child or protect a child from harm.

(d) “Behavior Intervention” is a systematic implementation of procedures developed in conjunction with the parent that result in lasting positive changes in a student’s behavior. Interventions may include positive strategies, program or curricular modifications, and aids and supports required to address the disruptive behaviors.

(e) “Emergency” means a situation constituting an imminent risk to health or safety.

(f) “Escort” includes guiding a student by touching his/her back, arm, or hand, or holding the student’s arm or hand to escort the student safely from one area to another as long as the student is not refusing to comply with the escort. The term does not include the use of coercion or force to move a student from one location to another.

(g) “Evidence-Based Training Program” includes programs that are externally developed and have a record of successful implementation in a variety of settings, that at a minimum, emphasize training in de-escalation procedures, the specific techniques used in safe restraint ranging from the least to most restrictive, and the specific techniques to encourage the safe reentry of the student back in to the educational environment.

(h) "Imminent Risk" means an immediate and impending threat of a person causing substantial physical injury to self or others.

(i) "Isolating" means visually, auditorally, or physically separating a student from the learning environment, school activity, or peers.

(j) "Prohibited Practices" means that certain activities or objects are prohibited from being utilized with students under any circumstances. Prohibited elements include:

(i) "Aversives" means an intervention that is intended to induce pain or discomfort to a student for the purpose of eliminating or reducing maladaptive behaviors.

(ii) "Locked Seclusion" means a seclusion room with a locking device that is engaged by leverage of an inanimate object, key, or other mechanism to keep the door closed without constant human contact. The term does not include a securing mechanism requiring constant human contact, which upon release immediately permits the door to be opened from the inside.

(iii) "Mechanical Restraints" include devices or equipment designed or utilized to restrict the free movement of all or a portion of a student's body. The term does not include assistive or protective devices or equipment prescribed by an appropriately trained professional or professional team that are used for the specific and approved purposes for which such devices or equipment were designed and prescribed.

(iv) "Prone Restraints" include holding a student in a face down position or in any position that will:

(A) Obstruct a student's airway or otherwise impair the ability to breathe;

(B) Obstruct a staff member's view of a student's face;

(C) Restrict a student's ability to communicate distress;

(D) Place pressure on a student's head, neck, or torso; or

(E) Straddle a student's torso.

(k) "Restraint" means the use of physical force, with or without the use of any device or material, to restrict the free movement of all or a portion of a student's body. Restraint does not include comforting or calming a student, holding the hand or arm of a student to escort the student if the student is complying, intervening in a fight, or using an assistive or protective device prescribed by an appropriately trained professional or professional team. The term does not encompass any of the prohibited practices described in this rule.

(i) "Supine Restraint" is when the student is placed in a face-up position on the floor and two staff members hold the student by the arms and legs. Supine restraint shall not be performed by placing pressure on the student's head, neck or torso. Supine Restraint requires two staff members to implement, each holding one arm and one leg on either side of the student's body.

(ii) "Side Restraint" is when the student is placed on the floor on his/her side with the staff member holding the student in place. One staff member can implement side Restraint.

(iii) "Seated Restraint" is when a student is placed in a seated position on the floor or in a chair and the staff member holds the student by placing pressure on the student's shoulders. One staff member can implement seated Restraint.

(l) "School" includes a school district as defined in W.S. §§21-3-104 through 21- 3-104.

(m) "School Activity" means any activity taking place at school, on school premises, or to or at a school function under the jurisdiction of the state or school district.

(n) "Seclusion" means removing a student from a classroom or other school activity and isolating the student in a separate area. Seclusion occurs when a student is placed in a room or location by school personnel, purposefully separated from peers, and prevented from leaving that location. Separation in an area where the student is prevented from leaving is always considered seclusion. There are two distinct categories: i) Seclusion from the Learning Environment, and ii) Isolation Room. The term does not include a student requested break or in-school-suspension, detention or other appropriate disciplinary measure.

(i) "Seclusion from the Learning Environment" means visually or auditorally isolating the student from the classroom or other school activity, away from peers in an area that obstructs the student's ability to participate in regular classroom or school activities. The student is prevented from rejoining the learning environment or school activity until directed by staff.

(ii) "Isolation Room" means purposefully placing the student in an enclosed room built in compliance with all relevant health and safety codes. The student is not released from the Isolation Room and permitted to rejoin the learning environment or school activity until directed by staff. An Isolation Room is not the same as locked seclusion, which is a prohibited practice.

(o) "Severe Misbehavior" means behavior that threatens substantial physical injury to self or others or that creates an imminent risk to the health or safety of self or others.

(p) "Time-out" means providing the student with a brief opportunity to regain self-control in a setting that does not physically remove the student from peers or the learning environment, and the student is not physically prevented from leaving the time-out area. The use of time-out without seclusion is not regulated by these rules.

III. Staff Training

A. The District adopts the Mandt System for the purpose of training and safe implementation of seclusion and restraint (a training system that teaches graded alternatives to be used by any facility or agency likely to encounter the problem of aggressive or uncooperative behavior).

B. A core group of classified and nonclassified staff shall be certified consistent with the Mandt System for the safe and appropriate use of physical restraint. This core group of staff shall be recertified according to Mandt System standards.

- i. The initial training for each staff member shall be completed in accordance with the Mandt System program.
- ii. The ongoing training shall be completed in accordance with the Mandt System program.

C. All staff shall receive training in the prevention of physical restraint and seclusion including skills training related to positive behavior supports, safe physical escort, conflict prevention, de-escalation, and conflict management. Professional development in this area will be ongoing.

D. In addition to the ongoing training for all staff referred to above, all staff shall also annually receive information regarding the implementation of this policy, including information regarding the staff members assigned as core group of staff in paragraph B above.

IV. Seclusion and Restraint Procedures

A. Restraint

- i. Emergency situations: Any staff may intervene for the purpose of restoring safety in a bona fide emergency situation constituting an imminent risk to health or safety.
- ii. Durational guidelines: Restraint shall be utilized for the minimum amount of time necessary to permit the student to regain control and staff's ability to reestablish safety. The following durational guidelines are to be followed when implementing a restraint:
 1. Customary Duration. The customary duration of a restraint will be one minute. If the student displays compliant behavior (generally the cessation of the severe misbehavior accompanied with quiet, for thirty (30) seconds) the restraint will cease, even if the time is less than the customary duration. On the other hand, if the student continues to display the severe misbehavior even after the customary duration time has expired, the student may remain in a restraint until compliant behavior is displayed for thirty (30) seconds up to a maximum duration of three minutes.
 2. Maximum Duration. The maximum duration for the use of restraint in an individual occurrence of severe misbehavior shall be three minutes.
- iii. Administrative review: In the event that implementation of the restraint exceeds the durational guidelines specified above, the Director of Human Resources shall immediately review the following elements to determine if and under what conditions the restraint may continue:

- a) the reason for the restraint, including the likely harm to the student or others;
- b) the type of restraint being used;
- c) other options available to eliminate the risk of harm or safety to student or others;
- d) the likelihood that continued restraint will prevent harm to the student or others.

iv. Debriefing: After a restraint has been implemented, the following debriefing procedures will be utilized:

A conference will be held involving all staff present and/or involved with the restraint, as well as the Director of Human Resources. The debriefing will include:

- a) a discussion of the factors that precipitated the conduct necessitating the restraint;
- b) a review of all interventions and de-escalation techniques, procedures, or efforts utilized in advance of the restraint;
- c) a review of the behavior plan or other plan, if one exists, for dealing with the behaviors of the student;
- d) a review of training received by staff involved with the restraint procedure and a determination of whether such restraint was done in compliance with this policy; and
- e) a discussion of changes that could be made or implemented that might assist in preventing the student conduct or eliminating the need for restraint.

v. Documentation: The completion of an incident report containing the following documentation is required for each restraint:

- i. Antecedents, interventions, and other relevant factors
- ii. Description of the regulated intervention utilized
- iii. Time and duration
- iv. Student's response
- v. Administrative review, if necessary
- vi. Status assessment
- vii. Release or reentry factors
- viii. Injuries, if any
- ix. Debriefing

Any school district employee who is required to use restraint as outlined above, shall complete an “incident report.” The immediate supervisor of that employee will review the report and conduct an investigation. A report of the investigation shall be forwarded to the Human Resources Office.

B. Seclusion

- i. There are two regulated seclusion categories: Seclusion from the Learning Environment or Seclusion in an Isolation Room.
- ii. The use of a locked seclusion room is prohibited in all school facilities.
- iii. The use of an Isolation Room will be limited to locations specifically built and/or modified for that purpose, meeting all relevant health and safety codes.
- iv. The use of appropriate disciplinary measures may be considered unregulated by this policy only if used in accordance with an approved classroom, school-wide, or district-wide student conduct plan.
- v. School staff must be able to see and hear the student in seclusion at all times.
- vi. Students placed in seclusion must be permitted access to normal meals and personal hygiene opportunities. Meals and bathroom breaks may be separate and supervised if needed to ensure safety.
- vii. Prior to being placed in Seclusion, a student will be notified of the specific, severe misbehavior and the customary duration time assigned. An audible timer shall be set to monitor the customary duration time. The timer shall have a bell or other signal that will activate after the expiration of the customary duration time to notify the student of the expectation that the behavior should have improved by that time. Before entering Seclusion in an Isolated Room, the student will be asked to remove his or her shoes and empty the contents of clothing pockets. The purpose of these requests is to prevent the student from misusing any of these ordinary articles.
- viii. Seclusion from the Learning Environment: The following requirements apply:
 1. Durational guidelines: These durational guidelines are to be followed when implementing Seclusion from the Learning Environment:
 - a. Customary Duration. The customary duration of Seclusion from the Learning Environment will be determined based upon the combination of the student’s age and the student’s compliant behavior. Generally, a student will be placed in Seclusion from the Learning Environment for a length of time equal to one minute per year of age. For example, a ten-year-old student would have a customary duration of ten minutes. If the student displays compliant behavior (generally the cessation of the severe misbehavior accompanied with quiet, for thirty (30) seconds) the period of Seclusion from the Learning Environment will cease, even if the time is less than the customary duration. On the other

hand, if the student continues to display the severe misbehavior even after the customary duration time has expired, the student may remain in Seclusion from the Learning Environment until compliant behavior is displayed for thirty (30) seconds.

b. Maximum Duration. The maximum duration for the use of Seclusion from the Learning Environment in an individual occurrence of severe misbehavior shall be one hour. After that time, if the student is continuing to display the severe misbehavior sought to be remedied by Seclusion from the Learning Environment, the Director of Human Resources Director.

2. Use of a debriefing procedure and an incident report following the implementation of Seclusion from the Learning Environment is recommended, but not required.

ix. Seclusion in an Isolation Room: The following requirements apply:

1. Durational guidelines: These durational guidelines are to be followed when implementing Seclusion in an Isolation Room:

a. Customary Duration. The customary duration of Seclusion in an Isolation Room will be determined based upon the combination of the student's age and the student's compliant behavior. Generally, a student will be placed in Seclusion in an Isolation Room for a length of time equal to one minute per year of age. For example, a ten-year-old student would have a customary duration of ten minutes. If the student displays compliant behavior (generally the cessation of the severe misbehavior accompanied with quiet, for thirty (30) seconds) the period of Seclusion in an Isolation Room will cease, even if the time is less than the customary duration. On the other hand, if the student continues to display the severe misbehavior even after the customary duration time has expired, the student may remain in Seclusion in an Isolation Room until compliant behavior is displayed for thirty (30) seconds.

b. Maximum Duration. The maximum duration for the use of Seclusion in an Isolation Room in an individual occurrence of severe misbehavior shall be one hour.

vi. Administrative review: In the event that Seclusion in an Isolation Room exceeds the durational guidelines specified above, the Director of Human Resources shall immediately review the following elements to determine if and under what conditions the seclusion may continue:

a) the reason for the seclusion, including the likely harm to the student or others;

b) other options available to eliminate the risk of harm or safety to student or others;

c) the likelihood that continued seclusion will prevent harm to the student or others.

vii. Debriefing: After Seclusion in an Isolation Room has been implemented, the following debriefing procedures will be utilized:

A conference will be held involving all staff present and/or involved with the seclusion, as well as the Director of Human Resources. The debriefing will include:

a) a discussion of the factors that precipitated the conduct necessitating the seclusion;

b) a review of all interventions and de-escalation techniques, procedures, or efforts utilized in advance of the seclusion;

c) a review of the behavior plan or other plan, if one exists, for dealing with the behaviors of the student;

d) a review of training received by staff involved with the seclusion procedure and a determination of whether such seclusion was done in compliance with this policy; and

e) a discussion of changes that could be made or implemented that might assist in preventing the student conduct or eliminating the need for seclusion.

viii. Documentation: The completion of an incident report containing the following documentation is required for each incidence of Seclusion in an Isolation Room:

- i. Antecedents, interventions, and other relevant factors
- ii. Description of the regulated intervention utilized
- iii. Time and duration
- iv. Student's response
- v. Administrative review, if necessary
- vi. Status assessment
- vii. Release or reentry factors
- viii. Injuries, if any
- ix. Debriefing

Any school district employee who is required to use Seclusion in an Isolation Room as outlined above, shall complete an "incident report." The immediate supervisor of that employee will review the report and conduct an investigation. A report of the investigation shall be forwarded to the Human Resources Office.

C. Parent Notification

Parents shall be notified of each use of a seclusion or restraint procedure within 24 hours of the use of that procedure. Written notification shall be complete upon mailing, personal delivery, or electronic transmission of the written notice.

Parents shall also receive copies of all mandatory documentation upon completion of such documentation.

V. Enforcement Procedures

A. Complaint Process: Parents may, upon receipt of notice of the use of a regulated seclusion or restraint procedure, file a complaint with the school principal. If the complaint involves the principal, the complaint may be filed with the Superintendent.

B. Investigatory Process: The following investigatory process shall be utilized upon the receipt of a complaint meeting the above requirements:

Upon receipt of a complaint by a parent, the school principal shall immediately undertake or authorize an investigation. The investigation may be conducted by the building principal, a designated investigator of the District, other District officials, or by a third party designated by the District.

The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also utilize other methods or resources deemed pertinent by the investigator and documents deemed pertinent by the investigator.

In determining whether alleged conduct constitutes a violation of this policy, the District should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.

The investigation shall be completed as soon as practicable. The designated investigator shall make a written report to the Human Resources Director upon completion of the investigation. If the complaint involves the building principal, the report may be filed directly with the Superintendent. The report shall include a determination of whether the allegations have been substantiated as factual and whether they are a violation of this policy. A copy of the report shall be mailed to the complainant.

VI. Publication of Policy

This Policy shall be published within the school community by providing a copy to each building for posting and to each employee of the district.

VII. Data Collection Requirements

Schools shall collect and report annually to the Wyoming Department of Education the Wyoming Integrated Statewide Education Record Identifier (WISER ID) for each student involved in the use of a regulated intervention, the number of incidents of seclusion and restraint for each student, and the type of regulated intervention utilized for each student.

References:

W.S. §21-2-202(a)(xxxii)

W.S. §21-3-110(a)(xxxi)

Chapter 42 of the Wyoming Department of Education Rules

Adopted: