



SECLUSION AND RESTRAINT POLICY

I. Introduction

The SEED Public Charter School is dedicated to using the Positive Behavior Intervention and Supports framework to proactively teach and reinforce positive behaviors. Specifically, SEED PCS staff working with students are trained in both the Boys Town model as well as Nonviolent Crisis Intervention (CPI), endorsed and provided by the Office of the State Superintendent of Education (OSSE). The strategies taught in the Nonviolent Crisis Intervention training provide participants with a proven framework for decision making and problem solving to prevent, de-escalate, and safely respond to disruptive or assaultive behavior by students. Additionally, the SEED Public Charter School has Student Discipline and Suspension and Expulsion policies to address a spectrum of behavioral infractions. However, the SEED Public Charter School recognizes the possibility that emergency situations may arise where it becomes necessary for staff to use a seclusion or restraint to protect the safety of students. This policy addresses definitions of seclusion and restraint; requirements that staff must meet when using seclusion and restraint; the use of seclusion and restraint for special education students; recordkeeping requirements; and guidelines for staff to consider when using seclusion or restraint.

II. Definitions

“Seclusion” is defined as the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. The following are *not* considered “seclusion” for the purposes of this policy:

- *Time-out from reinforcement as a form of strategic behavior modification.* Staff members may limit a student’s access to reinforcement in an effort to extinguish an inappropriate behavior. When this is a part of an approved behavior modification program, the student is monitored in a non-locked setting, and as long as the student is not physically prevented from leaving the alternative space, this is not considered seclusion.
- *Students voluntarily accessing a separate space as to facilitate de-escalation or problem-solving.* Again, as long as students are monitored and not being physically prevented from leaving, this is not considered “seclusion.”

“Restraint” is defined personal restriction that immobilizes or reduces the ability of a student to move his or her torso, arms, legs, or head freely. The following are *not* considered “restraint” for the purposes of this policy

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



- *Behavioral interventions as a means of calming or comforting.* For example, proximity control, verbal soothing, or sensory inputs (such as a “squeeze”) might be used as a component of an approved behavior modification program and are not considered “restraint.”

“Emergency circumstance” is defined as a circumstance that meets both of the following criteria:

- Intervention is necessary to protect the student or another person from imminent, serious physical harm; and
- Other less intrusive, nonphysical interventions have failed or have been determined inappropriate.

III. Requirements for Use of Seclusion and Restraint including Procedures

The Seed Public Charter School prohibits the use of restraint or seclusion except in an emergency circumstance. Any restraint or seclusion shall be applied only by school personnel who are trained in the appropriate use of specific authorized techniques.

A space used for seclusion shall, at a minimum, be free of objects and fixtures with which a student could self-inflict bodily harm, shall provide school personnel an adequate view of the student from an adjacent area, and shall provide adequate lighting and ventilation. School personnel must be able to see the student placed in seclusion at all times and must speak with the student at least once every 10 minutes. After 30 minutes of seclusion, the Principal, Director of Student Support Services, or other senior member of the school’s staff shall personally observe the student to assess the need for continued seclusion. No seclusion shall continue longer than one hour.

- At least two staff members will be present for any student placed in seclusion or restraint.
- Staff will employ SEED’s Model of Care, which includes a range of de-escalation strategies in order to avoid seclusion or restraint so that seclusion or restraint is a last step.
- Staff and students who have engaged in seclusion or restraint will be checked by the school nurse after the incident has ended. The school nurse will provide a written incident report documenting any physical findings for both staff and students.
- Staff and students who have engaged in seclusion or restraint will engage in Restorative Practices after the incident, such as verbal or written apologies, mediation, and/or participating in a Restorative Circle to repair relationships.
- Staff and students who have engaged in seclusion or restraint will take steps for prevention or continued follow up, which may include but is not limited to meetings with parents and other appropriate stakeholders, counseling referrals, development and implementation of a crisis plan and/or a Behavior Intervention Plan Review and Behavior Intervention Plan revision.
- In the event a student continues to demonstrate an escalation in behaviors, after SEED staff have taken every step possible, including seclusion and/or restraint, SEED reserves the right to contact the local police (SEED’s School Resource Officers) and/or ChAMPS, a mobile emergency



service for families and children experiencing an emotional or mental health crisis in the District of Columbia, for additional support.

- Seed will not use restraint/seclusion for students with disabilities when they wouldn't do so for a student without a disability.

IV. Use of Seclusion and Restraint on Students with Disabilities

For students with disabilities, restraint and seclusion may be used when it is or is not included in the student's IEP, Section 504 Plan, and/or Behavior Intervention Plan in emergency circumstances. The restraint must be used to address specific behaviors under defined circumstances and must be implemented by appropriate staff. An IEP/504 meeting will be held for any student with a disability who requires the use of restraint/seclusion to ensure that the IEP/504 plan/BIP addresses how restraint/seclusion should be used

V. Recordkeeping

The Seed Public Charter School shall maintain written incident reports for each incident involving a restraint or seclusion. The reports shall be placed in the student's permanent file and maintained as part of his/her education record. The Seed Public Charter School will promptly contact a student's parent/guardian if a seclusion or restraint is used on that student during the school day and will provide the parent with a copy of the incident report within 1 school day.

A Behavior Emergency Report Form must also be completed following the use of a physical restraint with a child with a disability. This form must be provided to the student's parent/guardian within one school day and a copy must be filed in the student's special education records.

The incident report and/or Behavior Emergency Report Form will include the following information:

- Location of the incident leading to restraint/seclusion
- Time and duration of restraint/seclusion
- Staff members involved
- Interventions attempted prior to restraint/seclusion
- Description of attempts to de-escalate prior to restraint/seclusion
- Description of the student's behavior that promoted the need for restraint/seclusion
- Description of any injuries sustained by the student or staff during the restraint/seclusion

SEED will track data on who is restrained to ensure that no disparate impact is present.



VI. Training

All School Leaders and SEED staff are trained in the Nonviolent Crisis Intervention program (Day 1/6 hours) annually. A select team of SEED staff are trained in Day 2/Nonviolent Crisis Intervention, which includes physical restraint. Only SEED staff who are fully trained and certified will participate in restraining a student. The Nonviolent Crisis Intervention program is the worldwide standard in crisis prevention and intervention, and the program is aligned with each of the aforementioned guiding principles for the use of restraint and seclusion.

VII. Guiding Principles

In addition to following the requirements and procedures for using a seclusion or restraint outlined in Sections I-VI of this policy, the Seed Public Charter School staff will abide by the following 15 principles from the U.S. Department of Education to guide the use of seclusion and restraint at all schools.

- Every effort should be made to prevent the need for the use of restraint and for the use of seclusion.
- Schools should never use mechanical restraints to restrict a child's freedom of movement, and schools should never use a drug or medication to control behavior or restrict freedom of movement (except as authorized by a licensed physician or other qualified health professional).
- Physical restraint or seclusion should not be used except in situations where the child's behavior poses imminent danger of serious physical harm to self or others and other interventions are ineffective and should be discontinued as soon as imminent danger of serious physical harm to self or others has dissipated. (See Sections I-II above.)
- Policies restricting the use of restraint and seclusion should apply to all children, not just children with disabilities.
- Any behavioral intervention must be consistent with the child's rights to be treated with dignity and to be free from abuse.
- Restraint or seclusion should never be used as punishment or discipline (i.e. placing in seclusion for out-of-seat behavior), as a means of coercion or retaliation, or as a convenience.
- Restraint or seclusion should never be used in a manner that restricts a child's breathing or harms the child.
- The use of restraint or seclusion, particularly when there is repeated use for an individual child, multiple uses within the same classroom, or multiple uses by the same individual, should trigger a review and, if appropriate, revision of strategies currently in place to address dangerous behavior; if positive behavioral strategies are not in place, staff should consider developing them.



- Behavioral strategies to address dangerous behavior that results in the use of restraint or seclusion should address the underlying cause or purpose of the dangerous behavior.
- Teachers and other personnel should be trained regularly on the appropriate use of effective alternatives to physical restraint and seclusion, such as positive behavioral interventions and supports and, only for cases involving imminent danger of serious physical harm, on the safe use of physical restraint and seclusion.
- Every instance in which restraint or seclusion is used should be carefully and continuously and visually monitored to ensure the appropriateness of its use and safety of the child, other children, teachers, and other personnel. (See Section III above.)
- Parents should be informed of the policies on restraint and seclusion at their child's school or other educational setting, as well as applicable Federal, State, or local laws.
- Parents should be notified as soon as possible following each instance in which restraint or seclusion is used with their child. (See Section V above.)
- Policies regarding the use of restraint and seclusion should be reviewed regularly and updated as appropriate.
- Policies regarding the use of restraint and seclusion should provide that each incident involving the use of restraint or seclusion should be documented in writing and provide for the collection of specific data that would enable teachers, staff, and other personnel to understand and implement the preceding principles. (See Section V above.)