

# Evansville Vanderburgh School Corporation

## Bylaws & Policies

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### **5630.01 – USE OF SECLUSION AND RESTRAINT WITH STUDENTS**

It is the policy of the Board that all students are to be treated with dignity and respect and to be free from abuse. The Board supports the promotion and training of appropriate student behavior as part of the Corporation's curriculum. It is the policy of the Board to use prevention, positive behavior intervention and support, and conflict de-escalation to eliminate or minimize the need for the use of seclusion or restraint with students. This policy applies to all students, regardless of the existence of a disability.

#### **General Guidelines**

Any behavioral intervention shall be consistent with a student's rights to be treated with dignity and respect and to be free from abuse.

Any behavioral intervention used shall be consistent with the student's most current individualized education program (IEP) and with the student's behavioral intervention plan (BIP), if applicable.

Every effort shall be made to eliminate or minimize the need for the use of seclusion or restraint with a student, including the use of prevention, positive behavior intervention and support, and conflict de-escalation prior to the use of seclusion or restraint, except in the case of an emergency, as defined in the seclusion and restraint plan.

Seclusion and restraint shall be used only:

- 1) as a last resort safety procedure employed after another, less restrictive procedure has been implemented without success; and
- 2) when there is an imminent risk of injury to the student, other students, school employees, or visitors to the school.

Seclusion and restraint shall be used only for a short period of time or until the imminent risk of injury has passed.

Regular training of appropriate school employees/staff members on the proper use of effective alternatives to seclusion and physical restraint and the safe use of seclusion and physical restraint in situations involving imminent danger of serious physical harm to the student, school

employees or others is required, as indicated in the seclusion and restraint plan.

The student shall be monitored by a staff member at all times during the use of seclusion or restraint to ensure the appropriateness of its use and the safety of the student and others.

Corporation employees shall never use mechanical restraints to restrict student's freedom of movement and shall never use a drug, medication or other chemical to control behavior or restrict freedom of movement, except as authorized by a licensed physician or other qualified health professional.

The seclusion and restraint plan shall apply to all students and not only students with disabilities.

Seclusion and restraint shall not be used as a means of punishment or discipline, coercion or retaliation, or as a matter of convenience.

Seclusion and restraint shall never be used in a manner that restricts a student's breathing or intentionally harms the student.

The use of seclusion or restraint, particularly when there is repeated use for an individual student, multiple uses within the same classroom, or multiple uses by the same individual, shall trigger a review and, if appropriate, revision of strategies currently in place to address behavior that imposes imminent risk of injury, including engaging in a functional behavioral assessment and reviewing and/or modifying the student's IEP or BIP. If positive strategies are not in place, Corporation employees shall consider developing them.

Behavioral strategies to address behavior that imposes imminent risk of injury that result in the use of seclusion or restraint shall address the underlying cause or purpose of the behavior.

Parents or guardians shall be informed of and have access to the plan on seclusion and restraint at the student's school or other educational setting, as well as applicable Federal, State or local laws.

A student's parent or guardian must be notified verbally as soon as possible when seclusion or restraint is used on a student.

Staff, including school resource officers, involved in the use of seclusion or restraint must complete an incident report as soon as practical after the use of seclusion or restraint.

The building administrator or designee must send a copy of the incident report to the parent or guardian as soon as practical and place a copy of the report in the student's confidential file.

The building administrator or designee also must send a copy of the incident report to a

Corporation administrator designated by the Superintendent, who must maintain records of all such incident reports. The Superintendent is directed to designate a Corporation administrator to serve as the coordinator of data, planning and oversight of the use of seclusion or restraint procedures in the Corporation. The coordinator must maintain records of the use of seclusion or restraint in the Corporation.

Any instance of seclusion or restraint must be documented as indicated in the seclusion and restraint plan. Such documentation shall, at a minimum, be in writing, include sufficient detail to provide for the collection of specific data that would enable teachers, staff and other personnel to review seclusion and restraint policies in order to implement modifications to the Corporation's plan. Data collected from the use of either seclusion or restraint shall be reviewed at least annually in order to improve prevention, positive behavioral intervention and support, and conflict de-escalation techniques in order to avoid the use of seclusion and restraint.

The Board directs the Superintendent or designee to develop a seclusion and restraint plan that, at a minimum, incorporates these guidelines and specifies the training required, notification procedures, and timelines. The plan must be reviewed annually and updated as needed.